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AN
AUTHENTIC REPORT
OF THE
TESTIMONY
IN A CAUSE AT ISSUE
IN
THE COURT OF CHANCERY
OF THE
STATE OF NEW JERSEY,
BETWEEN
THOMAS L. SHOTWELL, COMPLAINANT,
AND
JOSEPH HENDRICKSON AND STACY DECOW, DEFENDANTS.

Taken pursuant to the rules of the Court,
BY JEREMIAH J. FOSTER,
MASTER AND EXAMINER IN CHANCERY.

IN TWO VOLUMES.

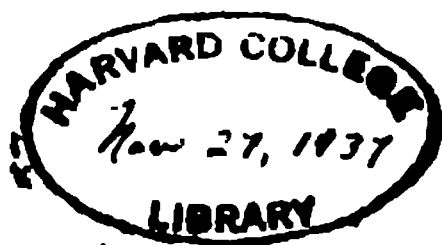
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1831

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By Exchange

REPORT
OF
EXAMINATIONS, &c.

<p>BETWEEN THOMAS L. SHOTWELL, Complainant, and JOSEPH HENDRICKSON and STACY DECOW, Defendants.</p>	<p><i>In Chancery, New Jersey.</i></p> <p>} ON INTERPLEADER, &c.</p>
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Monday, December 6th, 1830, at 2 o'clock, P. M. The parties and counsel appeared as before. Mr. *Price* for complainant, and Stacy Decow. Mr. *Sloan* for Joseph Hendrickson.

Examination of witnesses continued.

CEPHAS Ross, of Bucks county, Pennsylvania, a witness produced on the part of the complainant and Stacy Decow, alleging himself to be conscientiously scrupulous of taking an oath, and being duly affirmed according to law, on his solemn affirmation declareth and saith, as follows: viz.

Question by Mr. *Price*. What is your age?

A. Fifty-five years—I am in my fifty-sixth.

Q. Are you a member of the Society of Friends?

A. Yes. I had a birthright among Friends, and have always retained that right.

Q. Did you attend the Yearly Meeting held in Philadelphia in Fourth-month, 1827, as a representative from Bucks Quarter?

A. I did.

Q. Please to state what took place at the meeting of the representatives, in respect to the nomination of a clerk for that Yearly Meeting.

A. After the first session of the Yearly Meeting, the representatives from the different Quarterly Meetings convened in Arch street meeting house, to agree on the nomination of a clerk to serve the meeting the ensuing year. After some time given, when it was considered that all the representatives attending the Yearly Meeting from the different Quarters were present, John Comly's name was offered to be put on nomination for that service. Directly afterwards, Samuel Bettle's name was mentioned for the same service. There was some little altercation on the subject of taking the sense of the meeting on these names, or on which name the sense of the meeting should be taken first—eventually it was agreed to take the sense of the representatives on the name of John Comly *first*. From the observation I made, I concluded that there were about two-thirds of the representatives in favour of John

C. P.

Comly. Some persons observed that John Comly was nominated, justly nominated, for clerk—others, who were opposed to it, did not consider him so, and gave as their reasons for it, that the weightier part of the representatives were opposed to his nomination. In reply, those on the part of John Comly replied, that there was a very large majority who had agreed to place his name on nomination; and that we had no possible means to judge of the weight of any individual member of the representative committee, (as we considered it,)—that we were sent there to act for our different Quarterly Meetings, and that we all stood on equal ground. In reply, it was stated, that it had always been the practice to go by *weight* in our decisions. It was very positively contradicted. Then those who were opposed to John Comly contended, that we had no proof that there was a majority in favour of his being placed on nomination. It was then proposed, that some Friend should go to the table, and take down the names of those who were in favour of John Comly. From the manners of some elderly people there, it appeared that any that was capable of performing that service, was intimidated from going forward to the table to perform that service.

It was then proposed to divide, those in favour of John Comly on one side of the passage, and those in favour of Samuel Bettle on the other. There were several Friends rose and protested against the measure, and declared, that if there were any attempts made of that kind, they would go out of the house, and would not stay in it. Abraham Lower then rose in vindication of the measure, and was repeatedly ordered down by Thomas Wistar, and some others—(Thomas Wistar I well recollect, and there were one or two others,)—in a very stern manner; Abraham several times requested them to be quiet, and let him go through his observations. Thomas Wistar said, that such a procedure was scandalous and outrageous, and would be a disgrace to the society; and that he might be ashamed of himself to make such a proposition—a man that pretended to preach the gospel! After Abraham sat down, there was another proposition for some person to go to the table, and to take down the names of those who were in favour of John Comly. Those opposed to John Comly, again declared, that if there was any measure of that kind gone into, they would leave the house. Marden Wilson, of Bucks Quarter, drew to the table, and Abraham Lower to assist him. They were followed by fifteen or twenty of the representatives. Those who had given threats of leaving the house, then went towards the door, and some went out. By opening the door, the people in the yard, to a considerable number, rushed in at it. Finding that there would be a difficulty in doing any thing at that time, there was a proposition made for the representatives to adjourn until 8 o'clock that evening. This was objected to, on account of the age of some of the members of that body. It was then proposed to adjourn until 8 o'clock the next morning, which was agreed to by a number that were then present at the table—those from the table had no knowledge of it, I believe—and that those representatives present, were to give information to those that were not. It was done in a good deal of haste and confusion. This conclusion was, because the people were rushing into the house. I then left the house. After returning, and the meeting being pretty well settled, John Cox, (a person who they informed me was John Cox,) an elderly, pious, goodly old man, I believe, rose and reported, that the representatives could not agree, and stated in effect that he was authorized so to report. Some

person got up and objected—denied his having any such authority. I then got up, and stated what had transpired at the table, previous to the convening of the people at that session of the meeting, and that John Cox was present at this conclusion, and had agreed to it; that I again gave my opinion of his piety, and attributed his error to his old age, and the confusion in which the business was conducted. A person, whose name I was told was Thomas Stewardson, (he was a stranger to me—I did not know the man,) who, I believe, had left the house before the conclusion was come to at the table, as I have related, rose and charged me with insolence, and with uttering a positive falsehood. I rose again to reply, and was ordered down by a person of the name of John Comfort, of Bucks Quarter, asking me if I was'nt ashamed of myself—didn't I see there was a person up. I replied, I did, and he might speak when I had done. Samuel Bettles name was then offered to the meeting as clerk. There was no person speaking when I rose to reply; and it was not until after I had begun to speak, that I saw any person up. Before I had done, there was, perhaps, a dozen up.

Samuel Bettles nomination to serve the meeting as clerk, was objected to, and the right of the representatives vindicated to fix on a clerk to serve that meeting. A scene of confusion ensued, perhaps to equal any assemblage of people, under any circumstances: and one who was opposed to the nomination of John Comly, and who sat pretty well back in the meeting house—it would be right to give his name, likely—it was Charles Shaw—told me that there were as many as five hundred persons on their feet at one time. I don't think I ever observed one-tenth that number, myself.

Samuel Bettles was appointed as clerk, notwithstanding there appeared to me two to one opposed to it, of the members present.

Q. Did you yourself speak to John Cox upon the subject of another meeting of the representatives?

A. I did. I drew very near to him, and I thought from his manners that he had a disposition to reconcile the parties. He appeared extremely tried.

Q. Was that at the table?

A. Yes, it was at the table. The first I spoke to him was at the table.

Q. Did he seem to assent to your meeting the next morning, to continue your deliberations on the subject of the nomination of a clerk?

A. He did.

Q. Was there any proposition made in that body afterwards?

A. There was not, to my knowledge.

Q. Did you remain until the meeting of the representatives was broken up, by the gathering of the afternoon meeting?

A. Yes. It was recommended by those who were opposed to Samuel Bettles acting as clerk, under the circumstances by which he was appointed, to withdraw themselves from the concerns of the then pretended Yearly Meeting, as they considered it as improperly gone into.

Q. You are speaking now of a period subsequent to the breaking up of the meeting of the representatives?

A. Yes. In the afternoon the proposition was made by some person, that those who were opposed to Samuel Bettles acting, as I have stated, should withdraw themselves from the concerns of the meeting; and I think there were but a few Friends that (excepting in two or three instances) took any part in the deliberations of that meeting, while I

stayed. One subject I particularly remember, that enlisted their feelings pretty generally. The Yearly Meeting of North Carolina had solicited, by means of some communication or other, I don't recollect what, now, for some aid to enable them to rescue some Africans in that state from losing their freedom. I think the law of that state was about to take their freedom from them, somehow. The meeting took the subject under consideration, and acted on it, and agreed to raise a certain sum.

Q. On what day of the week did you leave the meeting?

A. On Sixth-day evening it was represented in the meeting, I think, by Samuel Bettle, that there would be no further business of importance that would be likely to come before the meeting, or at least, that was my understanding. Therefore, I left the city in the morning—on Seventh-day morning.

Q. Was that meeting, so far as you observed, conducted in the usual order of Society?

A. The fore part of the meeting was a scene of confusion. After a number of Friends had come to the conclusion, that the whole procedure was incorrect, and had left it to the management of a few, I think there was very little disorder, except in one or two instances. One I recollect was, after some woman had spoken, that came in from the women's meeting—she had used a great deal of severity, and some very heavy charges against members of the meeting—a person rose, and said that he felt a freedom to give the dear sister some advice, and advised her “to resist the devil, and he would flee from her.” I believe that's all that I remember.

Q. After the number of Friends, of whom you speak, as coming to the conclusion that the whole proceedings were incorrect, did they generally look on as spectators, as having little or nothing to do with what the few were transacting?

A. It is a question that it would be very difficult for me to answer. It was the first time I had ever attended a Yearly Meeting in Philadelphia—hence, a great proportion of that meeting were strangers to me—but as far as my observation would carry me, there appeared a small portion of those who were opposed to the proceedings, that appeared to take any part in the business of the meeting, except in two or three instances, as I before observed.

Q. Did the representatives from Bucks Quarter report the proceedings of that Yearly Meeting to have been irregular and disorderly, and without validity?

A. Twenty out of twenty-four of the representatives from that Quarter drew up something to that effect, and signed it, and presented it to the Quarterly Meeting, if I am not mistaken, in Eighth-month following, which was duly considered by that meeting, and minuted on their book of records, I think.

Q. Did they recommend that the contribution of that Quarterly Meeting, towards the relief of the coloured persons in North Carolina, should be made unofficially, and without recognising the Yearly Meeting as a valid one?

A. I am not certain I understand that question, so as to answer it satisfactorily; I will answer it in my own way, which probably will be best: when this subject was brought before our Quarterly Meeting, it was done under the influence of sympathetic feeling towards those Afri-

cans, and not on account of any procedure in the Yearly Meeting—though it was rather urged in the Quarterly Meeting by some Friends, that owing to the active part that was generally taken in the decision of the pretended Yearly Meeting, that for consistency's sake, we ought to take notice of it, under that head.

Adjourned until ten o'clock to-morrow morning.

Tuesday morning, December 7, 1830, at 10 o'clock. The parties and counsel present, as yesterday. Examination of Cephas Ross continued.

Question by Mr. *Price*. Was the reference in your last answer, to an *active part* having been taken in the decision of the Yearly Meeting, in relation only to that matter of contribution?

Answer. That only.

Q. When fifteen or twenty representatives drew to the table, in respect to drawing up a paper to propose John Comly as clerk; about how many representatives were there still remaining in the house?

A. I think there were, from appearances, one hundred or more.

Q. By whom was Samuel Bettle appointed clerk?

A. As I have before observed, the members of that meeting were generally strangers to me—but some of the most active, were those that I recognised as representatives, who had opposed John Comly's nomination.

Q. Who made the minute of his appointment?

A. Samuel Bettle himself. He made a minute, and rose and read it. A number of Friends immediately protested against it.

Q. Had the Bucks Quarter double its usual number of representatives that year?

A. They had before sent *three*, and that year they sent *four*, for each Monthly Meeting.

Q. Had the Orthodox party their full proportion in that representation?

A. At the time they were appointed, I knew of no such appellation as "*the Orthodox*." When we convened to draw up a report to the Quarterly Meeting, there was a division took place amongst us, three of which, who have since joined that party, would not sign the report; one who has since united himself with Friends, also declined.

Q. Did you understand, that the increase of the representatives was with any view to produce a change of the clerk of the Yearly Meeting?

A. At the time of the increase being made, I heard of no such thing.

Q. Was what is called the Yearly Meeting's committee, acknowledged as having been regularly appointed, when they visited Bucks Quarter?

A. I think not, by nineteen-twentieths of its members who were then assembled. At the time of the Quarterly Meeting in Fifth-month, following the Yearly Meeting, 1827, there were very few Friends of the afterwards Orthodox party that said any thing on the subject—the claim of the committee being received by our Quarterly Meeting, was urged by those who said they were of that committee.

Q. Did the conduct of that committee seem to be in the usual order of society?

A. Some of that committee were extremely harsh in their charges against Friends, branding them as rebels, and so forth, in refusing to

receive them as the Yearly Meeting's committee, and refusing to read the extracts that were offered.

Q. Was there a secession from that Quarterly Meeting of those since called Orthodox?

A. I do not recollect, as to the meeting spoken of in Fifth-month.

Q. Was there in Eighth-month?

A. There was. Friends convened as usual to hold their Quarterly Meeting. Those who represented themselves as the Yearly Meeting's committee also attended—some of those, I should say—and the Orthodox party generally, attended the same meeting, and a considerable number of strangers—several strangers also, who appeared also to be of that party, they interfered in nearly all, if not all the business that came before the meeting—they were extremely rash in their observations, on the subject of business before the meeting. All taking part—those who represented themselves as the Yearly Meeting's committee, notwithstanding they had not been received by the Quarter, as far as it appeared to me. After our meeting had closed its business, an Orthodox minister rose, and requested those who were opposed to the proceedings of that day, to stop at the rise of the meeting. Some Friend or Friends objected to leaving the meeting house to them. He then stated, that they had no object in view but a friendly conference. With that, Friends withdrew, and left the meeting house, with a very few exceptions; there were some remained, I think. They (the Orthodox) immediately proceeded to organize a Quarterly Meeting by appointing a clerk; what business they did, I don't know; as there were some of the representatives from the different Monthly Meetings that stopped with them, as far as my knowledge extends. They then adjourned to the next day, when they proceeded to appoint a committee to visit the Monthly Meetings belonging to that Quarter. This information I had from one of their party, an Orthodox member.

Q. According to your observation, in about what proportion as to numbers, are the Orthodox to Friends, within the limits of Bucks Quarter?

A. It was recommended to the different Monthly Meetings, either officially or otherwise, I do not recollect, to go into an enumeration of their different meetings, as to the numbers of each party. I assisted in the business of our Monthly Meeting and Preparative Meeting, and as near as I can recollect, when all our numbers from the different Monthly Meetings were added up, there were *five-sixths* Friends, and *one-sixth* Orthodox.

Q. Have this smaller party undertaken to disown those of the larger party?

A. They have.

Q. Do Friends consider such disownments as of any validity?

A. They do not.

Q. Have Friends kept up all their meetings, within the limits of that Quarterly Meeting?

A. I know of no instance where they have not.

Q. Has the Orthodox party sustained meetings at all the usual places?

A. In some instances, I think they have; perhaps, not more than one instance. They have varied the times of holding them; and in not more than one instance, I think, have they sustained them as to the place, but varied the time as to that place.

Q. Are these meetings, in all instances, by minorities of the whole bodies of what had previously constituted the meetings?

A. I believe so, in every instance.

Q. Do those of the larger division acknowledge them as regular meetings?

A. They may acknowledge them as regular *Orthodox* meetings, but not as regular meetings of Friends.

[The testimony being read over to the witness she explains]—When relating the transactions of the body of representatives, in relation to the nomination of a clerk, and when speaking of the proposition made for some person to go to the table and take down the names of those who were in favour of John Comly, after Abraham Lower had been ordered down by Thomas Wistar, I should have said, that the proposition went so far as to the drawing up of a report on the subject.

Again, in my answer to the last question but two, respecting the meetings of the Orthodox party, I should have said further, that in the one instance, where they have sustained meetings at the usual place, but varied the time, they have also varied the place as regards their meetings for worship on First-day; as they hold that meeting somewhere else.

And again, whenever I have spoken of the meetings of the Orthodox party, and of their proceedings in such meetings, I have spoken from report, and not from my own knowledge or observation.

And the said Cephas Ross being cross-examined on the part of Joseph Hendrickson, further affirms, as follows, viz:

Question by Mr. Sloan. How long prior to the year 1827, had you been in the habit of attending the meetings for discipline of the society, and taking an active part in their proceedings?

Answer. I think I commenced taking an active part, about seven or eight years previous to that date.

Q. Had you been under any appointment of the Quarterly Meeting, before you were sent as a representative to the Yearly Meeting of that year?

A. I think I had.

Q. When, and on what occasions?

A. Why, that I can't recollect. I was appointed a representative from the Monthly Meeting to the Quarterly Meeting previous to that date.

Q. My question was not whether you had been under appointment to the Quarterly Meeting, but whether you had ever been appointed by the Quarterly Meeting?

A. That I cannot recollect.

Q. For what reason were the representatives to the Yearly Meeting of 1827, increased, by the Bucks Quarter?

A. There was a proposition got up in Bucks Quarterly Meeting to alter the discipline relative to the reappointment of the members of the Meeting for Sufferings, I think, and elders; so as to make it obligatory on the Monthly and Quarterly Meetings to appoint them at limited periods, or to renew the appointment of them at limited periods. It was considered a subject of great interest to the society. This increase of representatives was proposed. It was strenuously objected to on the account of those meetings already having that power. The advocates

of the measure contended, that through delicacy, members of those bodies were continued till they had become an incumbrance on the society; and should there be a rule of discipline, made as it is in the case of clerks, so as to make it obligatory on those meetings, that that delicacy would be removed. This is the only reason I heard assigned by Friends.

Q. How was the increase of representatives intended to promote that object?

A. That's a question I never understood.

Q. In transacting the general business of the Yearly Meeting, have the representatives any higher, or greater authority than any other serious Friends who take a part in it?

A. I know of no particular duty especially assigned them, but that of their appointing the clerk and his assistant.

Q. You have stated that at the time of the appointment of their representatives, you did not hear that it was with a view to produce a change of the clerk; did you hear that at any other time, before that Yearly Meeting assembled?

A. Never.

Q. Did I understand you, that prior to that time, Bucks Quarter had sent *three* representatives, from each Monthly Meeting?

A. As far as my knowledge extends it did so.

Q. How far does that knowledge extend?

A. Why that I cannot tell; any farther than that they had done so before.

Q. From your own knowledge, will you undertake to say, that they had *ever* before that time sent *three* representatives from each Monthly Meeting?

A. The Quarterly Meeting, previous to the Yearly Meeting in each year, was held in Second-month, when the roads were extremely bad, most generally; my situation was such, that I had no convenient way to get to that meeting without going on foot; and I am not certain that I ever attended more than one or two Quarterly Meetings at that place, previous to the year spoken of,—at those meetings I have no recollection of the transaction of business whatever. But I think from the former minutes of the Quarterly Meeting being read at the next Quarter following, I have no recollection of any other impression than that there were three representatives.

Q. Did you mean to say, that you have a recollection that by those minutes *three* had been appointed previously?

A. No; I mean to say that it has always been my impression that that was the number; and I don't recollect any thing to the contrary ever being said by any of those who now stand opposed to us. But do know that they have since the division admitted that number; some of them have.

Q. By whom, and when was that admission made?

A. There were two persons at my house; one of the name of Charles Shaw, and the other John Michenor, had a conversation on the proceedings of the Yearly Meeting of 1827, and the appointment of the representatives preceding that meeting,—the same charge was alleged by them; I reasoned with them as to the impropriety of such a charge, and they eventually, one or both of them, acknowledged their error; I don't know any further in answer to the question.

Q. Do you state the nature of the proposition made by that Quarter

to the Yearly Meeting, relative to the Meeting for Sufferings, and elders, as the impressions received by you, of their character, or as being the propositions that were made to the Yearly Meeting?

A. Of the proposition from Bucks Quarter, relative to elders, I have already stated the discussion that took place in the Quarterly Meeting.

Q. Of how many Monthly Meetings did Bucks Quarter consist?

A. Six, I believe.

Q. Why did a portion of those representatives decline signing the report to the Quarter of which you have spoken?

A. I know not. The only reason which I heard assigned was, from the one who since has joined Friends, (or who has not left them,) and was, that he felt tried to act in any way.

Q. Were the other three who declined signing it, present at the time that report was drawn?

A. They were not, neither of the four was there.

Q. Had they any notice of the meeting of representatives that made that report?

A. It was stated at our meeting that they all had notice.

Q. I ask you a plain question,—had they, to your knowledge, any notice of it?

A. Not to my personal knowledge.

Q. When it was stated in the Quarterly Meeting that these Friends had had notice of the preparation of that report, did they deny that they had had any such notice?

A. I have no recollection that it was stated in the Quarterly Meeting that they had notice; I spoke of the meeting of the representatives.

Q. Did they deny that they had had any such notice, when the report was produced to the Quarterly Meeting?

A. I do not recollect that they did, or did not; but they upbraided them, the representatives who had signed it, with stating falsehoods in it; and were joined by an Orthodox preacher by the name of Stephen Grellet: who ran into very great extremes in denouncing the representatives who had signed it; charging them with telling that which was false, and cautioning the young men, Friends, members, against being deceived by such an instrument of writing.

Q. Did you ever hear those three persons admit that they had been consulted on the subject of that report?

A. I have already answered that question. I never heard them speak on the subject to my recollection, that is, the *three*,—because I have very strong doubts, that while this subject was in agitation, that either of them would have spoken to me on any occasion, without an absolute necessity of doing so, after the Quarterly Meeting of Fifth-month, 1827, until perhaps within a year or eighteen months.

Q. When was it that the other person declined acting on the subject; before or after making the report?

A. I know of nothing of my own knowledge. He had a brother who was a member of the same committee, or who was one of the representatives, who stated at the time the representatives met to draw their report, that his brother declined attending, owing to the tried state of his mind, as I before stated.

Q. Was that report drawn at that meeting, or had it been previously prepared?

A. If I am not mistaken, there were two reports offered for the consi-

deration of the representatives then convened ; on account of some scruples expressed at signing it, there were some alterations made in one of them, or a new one drawn, I am not certain which, which was signed as before stated.

Q. By whom were those reports drawn?

A. I cannot recollect.

Q. Will you refer me to that article of the discipline of the society under which you acted and derived your authority in making that report?

A. No; I refer thee to the report itself.

Q. My question was, will you refer me, &c.?

A. I refer you to the discipline, and you may compare it with what I have stated.

Q. Is there any thing in that discipline authorizing a Quarterly Meeting or its representatives, to review and condemn the proceedings of the Yearly Meeting?

A. I refer to the discipline itself.

Q. The witness will not now understand me as asking him to refer me to any particular part of the discipline, I ask only whether there is any thing in the discipline authorizing such a proceeding?

A. I think I have no answer to make, but to refer the gentleman to the book itself to draw his own conclusions.

Q. Is it to be found in this article of the discipline, to wit,—[The counsel reads from the discipline exhibited, page 31,] “The connexion and subordination of our meetings for discipline are thus—Preparative Meetings are accountable to the Monthly; Monthly to the Quarterly; and the Quarterly to the Yearly Meeting,” and the subsequent parts of that article, giving to each *superior* meeting a controlling power over its *inferior*?

A. As I had no notice of being called upon for to expound the discipline, or any other book, I am not prepared to answer the question; and therefore shall leave the task for those who are, is all the answer that I am able to make to that question.

Q. Was any such authority under the discipline shown, or pretended by those who made that report, at the time of making it?

A. I do not recollect.

Q. Was it not insisted in the Quarterly Meeting that the report was unauthorized by, and a violation of, the discipline and order of the society?

A. I cannot answer the question either way, positively. There was so much said, and all the ingenuity of the individuals, who were in attendance, racked to impede the progress of the business of the Quarterly Meeting—that it might or might not be so.

Q. Had you ever before known an instance in which a Quarter had exercised the right of denouncing the proceedings of its Yearly Meeting, in the regular order of the society?

A. No—nor I never have yet known of such an instance.

Q. What was the substance of that report?

A. I have not the report here. But I think I have already stated its general tenor, in answering a question put by the adverse counsel.

Q. Did you not state, in answer to that question, that the representatives reported the proceedings of that Yearly Meeting to have been “irregular and disorderly, and without validity,” or that twenty out of twenty-four had done so?

[The former question alluded to, was read to the witness at his request, when he says,] the substance of my answer was, that there was something to that effect drawn up and signed.

Q. Had you ever before known such a report to be made by the representatives of a Quarter?

A. I do not recollect.

Q. Under the discipline and usages of the society, would not such a report be considered as a gross violation of the respect owed by an inferior to its superior meeting, and subject it to the censure of its superior?

A. I shall refer thee to the book of discipline, and to the proceedings in Bucks Quarter, previously stated.

Q. Am I to understand the witness, that the book of discipline is the standard by which the regularity, or irregularity, of a proceeding in the society is to be judged?

A. I would wish the counsel to understand me, in all cases where the discipline is called in question, that I have no other course to pursue than to recommend him to that book, to draw his own conclusion.

Q. I ask you whether the discipline is the standard to which the society have always held themselves bound to submit, and to be governed by its provisions?

A. It is a question that I don't think I am bound to answer, in any shape whatever.

Q. Do you refuse to answer, whether the society have or have not considered themselves bound by the provisions contained in that discipline?

A. I refuse to answer any questions, which shall rest on the opinion of others, respecting any religious community. I have my own opinions, but they are mine; and, I think, that there is no law, either religious or civil, that has any just right to draw them from me.

Q. Do you refuse to answer my question?

A. I have answered, I believe.

Q. Is that your only answer?

A. It is my only answer.

[NOON.]

Q. Were all the representatives appointed by the Bucks Quarter to the Yearly Meeting of 1827, in favour of appointing John Comly as clerk, except the three named?

A. I believe they were.

Q. Were you familiar with the usual order and course of proceeding pursued by the Yearly Meeting, at the time you were sent as a representative for that year, and for what length of time had you been so?

A. I have before stated, that it was the first Yearly Meeting I ever attended in Philadelphia. I had, in my early part of life, attended three Yearly Meetings in New York; but, of course, could have very little knowledge of the practice in those meetings, more than what I received from information.

Q. Did not John Comfort, one of those who had been in favour of John Comly, state, in reply to you, that John Cox had been instructed by the representatives to make the report he did?

A. There are two John Comforts.

Counsel. I speak of John Comfort, of the manor.

A. I did not hear it, nor any intimation like it.

Q. Was not that alleged, or assented to, by some other persons in the Yearly Meeting, and in consequence, the objection to his report dropped?

A. I don't know what is meant by some others.

Counsel. I mean by any other persons.

Witness. It was asserted by Aaron Eastburn, and a partial statement made by him respecting the proceedings of the representatives. I then rose myself, and made a full statement of all the facts that occurred to me at that time. I believe there was no person contradicted me belonging to Bucks Quarterly Meetings; if there was, I do not recollect it. Joseph Whittall, who said he was one of the Yearly Meeting's committee, contradicted me, and made use of considerable harsh expressions.

On the question being again referred to, and stated to the witness, he states that he had misapprehended the question, in relation to having heard it "said in the meeting, that John Cox was authorized to make the report he did," that he supposed the question to refer to Bucks Quarterly Meeting—and now, on finding that it was the Yearly Meeting of 1827, that was named, he says, that I heard it so expressed by a number, perhaps as many as three or four. As I have gone through the circumstances of that Yearly Meeting as far as my recollection will serve me, I shall refer in my further answers to those already made.

Q. Did not John Cox himself state, in reply to you, that he understood the conclusion reported by him had been come to by the representatives, and that he had not before heard of any such conclusion as an adjourned meeting?

A. It strikes me that John Cox said something, but I could not undertake to say, that he made any reply to those who contradicted his first report.

Q. Did I understand you just now, in explaining the reason why you misapprehended my question, to say, that your hearing is not good?

Witness. Yes, I said so; but I was not through with my answer respecting John Cox. I believe, as soon as there was a contradiction of John Cox, that a scene of confusion ensued that would prevent a person of John Cox's manners from being distinctly heard by me, where I then sat.

Q. Before Abraham Lower and Marden Wilson went to the table, in the meeting of representatives, had not John Cox been requested to make that report by a number of the representatives?

A. There had some three or four persons of those representatives who wished the decision to go by weight, directed John Cox to do so: but from the circumstance of his going to the table, I am led to believe that he did not consider that he was instructed by the representatives then convened.

Q. Was that request limited to three or four, or made by three or four only?

A. There might possibly have been twenty; although I do not know that I recollect of more than three or four who gave him such instructions: and I believe that the attempt made to instruct John Cox to report, was previous to the proposition for the representatives to divide on each side of the passage. And when the attempt was made, it was opposed on the ground as before stated, in part, that John Comly was duly on nomination.

Q. Are you confident that John Cox heard your proposition for an adjourned meeting?

A. *Yes, I am positive.*

Q. Were you acquainted with him?

A. No; I never saw him before that day, to my knowledge. From John Cox's conduct, as I before stated, throughout the whole scene of confusion that took place, and that not knowing or observing that he gave any decision on the subject, seeing him at the table, I drew near him, hoping through him that there might a reconciliation take place; after which the circumstance which I have already related before, took place.

Q. Did he assent to your proposition for an adjournment?

A. Yes, he did: I have already stated that before.

Q. Were you present during the whole of that sitting of the representatives?

A. I have already answered that question.

Counsel. You will be good enough to answer it again.

A. I was.

Q. Did you not leave the room during the time?

A. I believe I was not out of the house from the time I entered it in the morning, till the people burst in upon us by the opening of the door by some within: if I was, it has slipped my recollection.

Q. What was John Cox doing at the table when you went to him?

A. I believe the old man was sitting on some of the upper seats; and the first I observed of him, he was standing in the passage that led up to the first gallery; that is, after those persons had fled from the house who had threatened to do so. He was not doing any thing, as I know of, unless he was talking to some person near him. He was the first person I spoke to when I went near the table; and I was unacquainted, I believe, with any that was then at the table, as far as I can recollect.

Q. Was there any body within hearing of what passed between you at the table?

A. Yes.

Q. Who?

A. That I cannot tell: as I before said, I was unacquainted with any present, to the best of my recollection.

Q. Was it the table at which the clerk usually sat during the meeting that this took place?

A. I cannot answer the question as asked; but it was the table, to the best of my recollection, that was on the left hand of the passage that divides the gallery.

Q. Was John Cox one of the fifteen or twenty of which you spoke, who went to the table with Lower and Wilson?

A. He was one of that number which was around the table, that I referred to.

Q. Did he go with them?

A. That is more than I can tell: I have stated that I observed him standing there, and went to him—that number collecting around the table, situated as that was, could not be very close to it.

Q. Did he continue at the table until they were interrupted by persons coming in?

A. If I am not mistaken, I left him in the house, if not in the situation

I found him; as I left it as quick as possible after I understood there was something like a conclusion come to.

Q. When John Comly was proposed to the meeting of representatives, was it not stated, that as Samuel Bettle had for many years acceptably served the meeting as clerk, it should be first settled whether any change should be made, before other names were proposed?

A. I think the representatives sat from some little time after twelve o'clock, till likely after three. At times there was so much confusion, that there was nothing done; at other times there were attempts made on both sides, each endeavouring to convince his opponent of the propriety of the course that he or they were endeavouring to pursue: and I think I recollect a great deal of praise being bestowed on Samuel Bettle for the faithful services he had performed: the remainder part of the question I do not recollect. These observations respecting his services was made as a reason why he should again be nominated as clerk. I don't recollect hearing any charges preferred against him, which were calculated to injure him in the least degree. But the reason given by those who were in favour of John Comly, or one of the reasons at least was, that he had served the meeting so long, that they thought it right to nominate another in his place.

Q. By whom was it agreed to take the sense of the meeting on the nomination of John Comly *first*?

A. A great majority, or nine-tenths of the representatives, perhaps, were strangers to me; for I do not think that I knew more than half of those, or two-thirds, that were representatives from Bucks Quarter, so as to have called them by name. But I recollect that Abraham Lower, Thomas Carey, Marden Wilson and myself agreed, in conjunction, as I thought, with a great majority of the representatives present; at least I know that the question was put on the nomination of John Comly first; and I do not believe, to the best of my recollection, that there was any question at all taken on the nomination of Samuel Bettle.

Q. Did all the representatives present, express themselves in favour of one or the other of the candidates?

A. It is a question I could not answer, as it was impossible to ascertain. Hence, the proposition to divide on either side of the passage, and the proposition to go to the table and take down the names, was resorted to, or made.

Q. By whom was that proposition made?

A. It was made by Abraham Lower, one or the other of them, and perhaps both; and by myself; and if I am not mistaken, by some three or four other persons, but I do not recollect.

Q. Were they all those who were friendly to the appointment of John Comly, who made or assented to that proposition?

A. That I cannot say.

Q. Were not these propositions opposed entirely on the ground, that they were contrary to the usages and principles of the society, and that it would be an innovation upon the rules adopted in all their former proceedings?

A. There were objections made to that purport, if not word by word. But I do not think that it was the entire ground taken by those who opposed it: though I cannot recollect what was said on the subject. But my present impression is, that the ostensible object of the opposition was, to prevent John Comly being placed on nomination.

Q. In answer to these objections, was any instance given of either the Yearly Meeting or the representatives ever having settled any question that came up before them, by a division of numbers?

A. There was an abundance of contradiction on both sides on that subject. My recollection will not serve me, so as to relate any part of it.

Q. Was the contradiction on that subject, one which arose from the allegation of any instances in which the Yearly Meeting had settled questions by majorities, or did it arise from the friends of John Comly claiming that that was a case which it was proper should be settled in that way?

A. From the confused state of the representatives, and the violence with which a number of them appeared to act, and the agitation produced on my own mind, I think, I cannot give a relation respecting it at present.

Q. You have then no recollection of any former instance of the kind being given?

A. I don't recollect that I have. The arguments then made use of, generally speaking, on either side, with some trivial exceptions, have not recurred to my mind since.

Q. Did you count those who were friendly to the nomination of John Comly?

A. If I did, it has slipped my recollection.

Q. Do you know of what number the whole body consisted?

A. I can't positively say that I do. Although I may have been informed, I have not been governed by any information received, but merely by the appearance of the company then collected.

Q. A great majority of whom were strangers to you, and expressed no opinion upon the subject?

A. I think I have not said so.

Q. Did they then express an opinion?

A. I have before stated, that when the question was put, whether John Comly's name should be carried forward to be placed on nomination, as clerk of the Yearly Meeting, the approbation or assent of near two-thirds of the persons present was given in favour of it. That it was mere opinion, as I had no certain criterion by which I could judge; hence the proposition of a division, and the taking down the names.

Q. Do you mean two-thirds of the whole body?

A. I mean so. I believe there had none left the room at that time.

Q. Who was it, that stated that the weightier part of the meeting were opposed to the nomination of John Comly?

A. I think there were some four or five of them; they were all strangers to me, that spoke on the subject, except one, Aaron Eastburn. The names of any of the rest, that is, that I inquired so as to recollect them now, were Thomas Stewardson, Thomas Wistar. I perfectly recollect the name and countenance of Thomas Wistar; the old man was violent in his manners. I rose to make some observations, and stood pretty much to one side, where he could not immediately see me without turning; he turned round as though with a design to look me out of countenance; and in his zeal was chewing his quid of tobacco, or some other thing that he had in his mouth, not being acquainted with him, I supposed that he was making mouths at me; hence I made particular inquiry as to his name; I would not be understood, that I now think he

was doing any thing with that view. He is the only person that I now particularly recollect of that number, except Eastburn.

Q. Are you confident that you have as correct a recollection of the language used by him on that occasion, as you have of the faces that he made?

A. No, I am confident I have not. For the circumstance was novel to me; and from things that occurred, my feelings were in such a state, that I was ready to draw unfavourable conclusions on things then passing, which from cool deliberation and a desire to feel charitable towards my fellow man, I think matters of no consequence at all now, although I may perfectly recollect them.

Q. Do you give the words you stated, to have been used by Thomas Wistar, as the *words* used by him on that occasion, or as the result of the impressions received by you under the circumstances which you have stated?

A. I give them as the words used by Thomas Wistar, as far as I know now, in reply to any question asked, and if in examining the statement, and question, and answers, there should be any thing from an improper understanding inserted therein, I hold myself bound to correct it.

Adjourned until ten o'clock to-morrow morning.

Wednesday morning, Dec. 8th, 1830, at 10 o'clock. Cross-examination of Cephas Ross continued. Present as before.

Question by Mr. *Sloan*. Do you give the expressions stated to have been made use of by Thomas Stewardson, in the same way?

Witness. If the counsel will please to qualify that question, so as to let me understand where.

Counsel. I refer to the occasion spoken of by you, in your examination in chief, when you state that he charged you with falsehood, &c.

A. Yes, I do give the expressions in the same way. When I say that those were the expressions of Thomas Stewardson, I wish to be understood, that some person, who appeared as a representative, and had rather acted a violent part when that body was convened, made use of those expressions as related. I, on inquiry, from the best description I could make of the man, of where he sat among the representatives, was informed it was Thomas Stewardson. I did not know the man, and should not now, if I were to see him.

Q. When Thomas Wistar spoke of the proceedings, as being outrageous and disgraceful, was it in allusion to the proceedings in that body of representatives, in reference to the attempt made to decide the question by the majority?

A. I do not recollect that he had any allusion to any thing else.

Q. After the report of John Cox to the Yearly Meeting, and the discussion which followed, how was Samuel Bettie nominated for clerk, and by whom?

A. His name was mentioned by some person unknown to me, as far as I now recollect. But how, or in what manner, it was expressed or introduced, I cannot say. I before observed, in some answer I have made to the questions, or in my statements, that it produced an unparalleled confusion, in a religious community at least, with one or two exceptions, that has ever come within my knowledge. And I will further state, that I believe it would be very difficult for any person to digest the

general tenor of proceeding, who was as perfectly unacquainted with the members thereof, as I was at that time; unless the observations amounted to personalities.

Q. Was this confusion produced by the nomination of Samuel Bettle as clerk, and in consequence of the opposition to it, which you have stated?

A. I have before observed, that the report made by John Cox had produced confusion. I now state, that this added to the confusion already produced by the report.

Q. By what mode did you ascertain that two-thirds of the Yearly Meeting were opposed to the nomination of Samuel Bettle?

A. By the voices given in favour of Samuel Bettle, and those opposed to his serving; although I fully believe that I heard one man give his voice in favour of Samuel Bettle a considerable number of times.

Q. Did you count them?

A. I did not; nor made no attempt to do so.

Q. Were you at that time also labouring under the excited feeling, which you state yourself to have felt at the time you thought Thomas Wistar was making mouths at you?

A. I was not. My conduct entirely, I think, grew out of a sense of duty that I owed the meeting of which I was a member. And although my expression might be *loud*, and appear somewhat *harsh*, I was in an humble state of mind, and only raised my voice in that large assembly of people, with a view to be heard.

Q. What had occurred in the mean time to cool you off, and humble you?

A. (The witness takes time to consider.) I have asked a delay in answering, not on account of want of words, nor with a view to digest an answer; I have before stated, that after the violence that took place among the representatives, that John Cox, an elderly, pious, and good old man, as I believed, had drawn near the table. I had went up to him, and his conduct had rebuked the sensations raised by Thomas Wistar.

Q. Did his report in the Yearly Meeting, in direct violation, as you have stated, of the conclusion come to by the representatives, and which you state you know he fully understood, produce no new excitement in you?

A. I have already offered an apology, which I thought was all sufficient for John Cox's deviation; but I will now state, for the satisfaction of the counsel, that my feelings could not be raised, or anywise excited, by a person who conducted in the manner that John Cox did. And that, instead of supposing that John Cox was in the least degree censurable, I drew the conclusion, that from the manifested violence among the representatives, some person must have had ingenuity enough, for to have so confounded John Cox's recollection, as to produce the report he made. Hence no other feeling towards the old man than that of affection. And I am of the opinion, that if the people there assembled had quietly settled down and appointed John Cox as the arbiter, that the perplexity at this time would have been avoided.

Q. Was not the deportment of John Cox, in both the bodies of which you have spoken, remarkable for its peculiar propriety; and were not all his acts those of a minister of peace, desirous to quell the turbulence by which he was surrounded?

A. From the tenor of my replies, and the statement that I first made,

I have fully answered that question. But for the satisfaction of the counsel, and to end any further inquiry on that subject, I now state, that every act of John Cox, in the representative committee, or after there was an attempt to establish a Yearly Meeting, except the report which I have offered an apology for, will be answered in the affirmative of the question, as far as I have any knowledge of.

Q. When and where was it, that it was recommended to those who were in favour of John Comly, to take no part in the business of the meeting, after the appointment of Samuel Bettie?

A. The only recollection I have on that subject, is, that after Samuel Bettie had read a minute which appointed him clerk, or purported to be such, some person, unknown to me now if they were not so then, got up and made such a recommendation. And I think it was repeated, or recommended, by one or two persons besides. That is, it was in Arch street meeting house, at what has been called the second sitting of the Yearly Meeting, in 1827.

Q. Was that recommendation adopted, and did all those friendly to John Comly's appointment withdraw?

A. From the last question, I am led to think, that I misunderstood that which preceded it; because it seemed to imply that that question about the recommendation to take no part in the business, &c. went so far as that they should withdraw, which I did not mean. [The previous question being read to the witness, he adds,] There were some who adopted the recommendation, and some, I believe, who did not, and I know of none withdrawing from the meeting at that time.

Q. Before the commencement, or before that sitting of the Yearly Meeting, had there been any conclusion among the Friends of John Comly, that if he were not appointed clerk, to withdraw from the meeting, or to break up its sittings?

A. It has been my universal practice, with very few exceptions, unless my Preparative, Monthly and Quarterly Meetings gave me particular instructions, to go to every meeting which I attended, without any pre-concerted plans whatever; and when there, only acting as the necessity of the case, I thought, might require. I had never heard, I believe, but from one person, that the representatives had any idea of putting John Comly's name on nomination, or that they had any thing in view but to promote the vital interest of the Society of Friends. Hence no knowledge of any such conclusion, that provided John Comly was not appointed clerk, that they would proceed to measures to dissolve the Yearly Meeting. But to the contrary, every circumstance which has taken place since has induced me to believe, that Friends generally had viewed the circumstances which had occurred, or which have led to the occurrences, with painful recollection; and although they may have appeared to have acted in some instances with a degree of energy, I know of none but what would rejoice in seeing the society and all its members, placed on that eminence, on which, I believe, it once stood.

Q. Did they break up the sittings of that Yearly Meeting, in consequence of that appointment?

A. There was a general protestation uttered against the proceedings of the few who appeared to presume themselves as the Yearly Meeting. But as to break through any measures that were adopted by any indiscreet or improper act, I have no knowledge of it.

Q. Had John Comly previously been the assistant clerk of the Yearly Meeting?

A. I understood he had.

Q. Did he act as assistant clerk through that meeting, and at the request of that meeting?

A. Some individual or individuals, (I am speaking now from the best of my recollection,) proposed that John Comly should take his seat at the table, as assistant clerk; I think, he, in a very positive manner, refused to do so; offering, as I thought, at that time, some very cogent reasons. John Comly was extremely tried, and from the observations made, had been labouring in their select meetings, and in private and public circles, to prevent the confusion that had just ensued. However, some time after, some person, whom I suppose John Comly considered as a companion in the labours which he viewed himself engaged in, invited, or pressed him to take his seat at the table; and as the friends of John Comly, as I believe, had never organized any plan of procedure, and being very much hurt with the previous proceedings, very few objected to his doing so; although, I believe, that by what I learn, and the observations I could make, a very great portion of those who had been in favour of his being appointed clerk by the representatives from the different Quarters, and who were in favour of holding a regular Yearly Meeting, were particularly opposed to his acting in that station; yet he did act, as mentioned in the question.

Q. Who expressed, in the meeting, their disapprobation of his thus acting, after he had consented to serve?

A. I don't know as I can say, that any person did, after he had consented to serve. But I am satisfied in my mind that a number did, before his consenting so to do; but from the tendering observations, made by John Comly, and the apparent tried state of his feelings, there was an uncommon solemnity attending the minds of many of the most active friends of John Comly.

Q. So far as related to the proceedings in the meeting itself, was the appointment of John Comly universally acquiesced in?

A. I believe I have already answered the question; but I'll answer it again. That a very great proportion of those who were in favour of holding a meeting in the regular order of the society, was opposed to John Comly acting in that station, and that after he had commenced so acting, and his friends had had time for reflection, there were many who had not favoured the movement or the measure gone into; notwithstanding, had felt no serious objections to John's accepting the station, had become entirely dissatisfied with his doing so.

Q. Was this dissatisfaction expressed in the meeting, or amongst the friends of John Comly, during the adjournment?

A. I have before related, that owing to the expressions of John Comly, and the sympathetic feelings for his tried state, that there was that kind of solemnity spread over the minds of those who were his most active friends, that I did not think that there were any objections made; but that it met the disapprobation of the principal part of his friends.

Q. The solemnity of feeling, of which you speak, if I understand you, existed in the different sittings of the meeting?

A. I have only a reference to that particular juncture of time, immediately after his taking his seat as assistant clerk.

Q. Was there not a meeting of the friends of John Comly held on

Second-day of the Yearly Meeting week, or at some other time whilst the Yearly Meeting was not in session, for the purpose of consulting what steps should be taken on the subject of his appointment?

A. There was notice given generally, as far as I understood, for those who were opposed to the proceedings of those few who had presumed themselves the Yearly Meeting, to meet at Green street meeting house, at some period in that week, which I now do not recollect, to consult or to confer on the best measures that could be pursued to save the society from destruction. I do not recollect that there was any thing on the subject of John Comly's being clerk or assistant clerk, introduced previous to Friends so meeting, or at any time when met, unless it was in recurrence to the proceedings of the representatives from the different Quarterly Meetings, composing the Yearly Meeting.

Q. Was John Comly present at that meeting?

A. I think he was, but am not certain. I recollect, that during that week John Comly had been so overcome with the scenes passed, that he had retired; and, I think, did not attend *one* of the conferences that were held—but of this I am not certain. It is my present impression only.

Q. Did you hold more than one conference?

A. I think there were two—at one of which John Comly addressed the meeting, in a manner that must, I believe, have aroused the sympathies of any person who might have heard it, let them have professed what they might.

Q. Was any notice of these conferences given out in the sittings of the Yearly Meeting?

A. I cannot say—but, I believe, there was not. I myself gave notice to a number of persons, some of whom are now belonging to the Orthodox society. And I knew of no disposition in any person who met to confer, to prevent any person, let their opinions or sentiments be whatever they might, from attending those conferences. And I have reason to believe, as far as my observations extended, that there was every means made use of that could be reasonably expected, to give general information to all who were members of the Society of Friends of the aforesaid meeting, unless they had given this information in Arch street meeting house, when the people were there collected, to observe the movements that were taking place.

Q. Did any persons take a part in those conferences, except those who had been friendly to the appointment of John Comly as clerk?

A. I cannot say whether they did or did not.

Q. Have you ever known instances in which these private sessions have been held by one portion of the society, during the adjournment of the sittings of the Yearly Meeting, to discuss and decide upon questions which had, or which should occupy the attention of the Yearly Meeting, before those spoken of by you?

A. I have before stated, that it was the first Yearly Meeting that I had ever attended in the state of Pennsylvania; that I had attended *three* when quite young, in the city of New York—and, I have no doubt, that the ostensible object in my doing so, was to gratify a youthful curiosity—and that my knowledge of the proceedings in those Yearly Meetings, as a body, or of its members separately, was very limited. Therefore, I never knew of a circumstance of a like nature occurring, nor either have I known or ever heard a circumstance of the like necessity for their doing so.

Q. Was it proposed at one of these conferences, that some of you should seize the clerk's table and books on the following day, and thus effect your object?

A. I am very positive that no such proposition was made *publicly*, at any of those conferences referred to; and I am also positive, that this is the first time that I have ever heard any thing like it.

Q. You have stated, that unless expressly instructed by your meetings, you should, as a representative, have acted from the necessity of the case, and not from any preconcerted plan. Had you any instructions or advice on the subject of the appointment of clerk from your meetings, at the time spoken of?

A. From the information I had in general received that that was one particular, if not all the duties attached to the representatives, previous to the close of the Yearly Meeting, I came to the city of Philadelphia uninstructed, more than by what I supposed to be the common usages and the common privileges of representatives. I know of no partiality that I held for any particular procedure, but that which grew out of strict justice, and the universal privileges that we individually held as a religious community. When the proposition to place John Comly on nomination was made, believing him a worthy member of society, and capable of performing the duties of that office to the honour of the same, and knowing nothing of Samuel Bettle, I gave John Comly the preference. I looked for nothing in the representative committee, but the strictest moderation in all its deliberations. After the objections made to his being placed on nomination, and the observations made by a stranger, whom I did not know, in support of it, I concluded that the arguments made use of, in favour of his being placed on nomination as clerk, were the most reasonable and consistent with my views of justice; and from the violence displayed by a number of the representatives who were opposed to his being placed on nomination, I was induced to make some observations as respected their appearance; and it aroused in me a fear that all was not right. The disposition to bear down that individual, I have just spoken of, induced me to take a part in the discussion of the subject, contrary to any thing I had before in contemplation.

(The question was again read to the witness.)

My answer is, that I have not stated any thing purporting to the question, if I recollect, as it stands.

Q. Had you any instructions or advice from the Bucks Quarterly Meeting, or from the members who composed it, relative to the appointment of clerk to the Yearly Meeting of 1827?

A. I am satisfied, I had not.

Q. What were the necessities of the case, which made it necessary, in your apprehension, to remove the existing clerk?

A. I cannot undertake to say, further than that it was my preference.

Q. What vital interests of the society did you apprehend would be violated by the continuance of Samuel Bettle as clerk?

A. I knew of no vital interest that would be affected by it. I had nothing against Samuel Bettle. It was only the preference I had for the man that I was acquainted with, to one which I was not.

Q. What vital interests of the society were to be promoted by putting John Comly's name on nomination as clerk?

A. My answer to that question, is the same as to the preceding one.

Q. What act had been done by the Yearly Meeting, besides the ap-

pointment of their clerk, previous to the notice being given of the conference, of which you have spoken?

A. Nearly the whole proceedings, previous, had been a scene of confusion.

Q. What other question had occupied the attention of the meeting, previous to that notice?

A. That I do not recollect.

Q. Had there been any thing else before the meeting?

A. I cannot say. I do not recollect any thing else that had taken place that day, except what I have already stated.

Q. When was the first notice given for the meeting of conference of which you have spoken?

[NOON.]

A. It was on Second-day evening, immediately after the adjournment of the Yearly Meeting, that I received the first notice. I think it was then.

Q. Did not those persons who had been friendly to the appointment of John Comly as clerk, take a part in the subsequent proceedings of that meeting?

A. I have before stated that those who disapproved of the measures pursued by the few, most generally withdrew from the business transacted, except in two or three instances.

Q. When did they withdraw?

A. Perhaps I might have answered, by saying, that generally, they took no part in the business of the meeting, except in the instance referred to just now. I would observe, this rests on opinion, as the people were generally strangers to me.

Q. Did they not take an active part in discussing the report of the Westown school committee, and propose new nominations?

A. A few might have done so,—but I think that number was but few.

Q. Did they not take part in the discussion respecting a memorial proposed for Richard Jordan?

A. Pretty much, I imagine, in proportion as they did on the other subject.

Q. Was any discrimination made between them and others, in the appointment of committees?

A. That I cannot say.

Q. Were not a number of them appointed on the committee to settle the treasurer's accounts?

A. I think I have no knowledge on that subject.

Q. How was it, as to the committee to prepare the epistles?

A. To obviate further inquiry, I will say, that I have no recollection, or particular recollection, concerning who was, or who was not, appointed, on any of the committees that were named.

Q. Was the clerk of the Bucks Quarter at the time you were appointed a representative, one of those in favour of appointing John Comly as clerk?

A. If my recollection serves me, he was a representative from that Quarter, and was in favour of appointing John Comly.

Q. So far as your knowledge extends, are all those persons who were friendly to the appointment of John Comly, and who took part in these meetings of conference of which you have spoken, now in unity with the

society of which you are a member, and which you call the Society of Friends?

A. I do not recollect an exception.

Q. Did the proceedings which have eventuated in the separation of the society originate in those conferences?

A. I imagine, no part of them; if they did, I did not know it. I did not consider it so.

Q. Did you not at one of those meetings come to the conclusion, that a separation was necessary, and issue an address to that effect?

A. My recollection is not sufficiently perfect to relate the conclusions then come to, but I shall refer to that address itself, which, I believe, contains them.

Q. Was that address approved by that meeting, and its publication sanctioned by it?

A. I think I knew of none who disapproved of it.

Q. Was it issued as the united sentiment of those who had thus convened?

A. I cannot answer the question in a better way than by referring to the address itself. I imagine the paper itself will state so; I know nothing to the contrary.

Q. In the Yearly Meeting of 1827, did John Comly propose, that the subjects brought up from Abington and Bucks Quarters, relative to the appointment of elders and members of the Meeting for Sufferings, should be dismissed from the further consideration of that meeting?

A. I cannot positively say, whether he did or did not.

Q. Did any other person?

A. My recollection of the business transacted at that time, or at least after John Comly took his seat as the assistant clerk, is so imperfect, that I should hardly be safe in answering the question.

Q. Did you not urge the meeting yourself, to take up that subject, as a means of promoting harmony in the society?

A. If I spoke to any thing that might be called business, that came before the meeting in its then state, it has slipped my recollection.

Q. Have you ever been a representative of Bucks Quarter to the Yearly Meeting, since 1827?

A. I have, once or twice.

Q. Did you attend?

A. I did.

Q. At the same time of the year, and same place, that you did in 1827?

A. No.

Q. When did you attend?

A. The first meeting I attended, was some time in Tenth-month following that attempt which was made to hold one in Fourth-month previous, which was held in a shed, to the best of my recollection, that was erected near Green street meeting house.

Q. Did the meeting of Fourth-month adjourn to that time and place?

A. I did not know where those adjourned to, who pretended to hold a meeting in that month.

Q. Did you not understand by common repute, that that meeting adjourned to meet at the same time and place the next year?

A. I think I never heard any thing on the subject any how, or respecting it at all, previous to this meeting referred to in Tenth-month.

Q. Was it not matter of general repute, that it did convene at the same time and place next year.

A. It would be difficult for me to tell what was the general repute, if there had nothing on the subject come to my knowledge.

Q. By what authority was the meeting which you attended at Green street in Tenth-month, convened?

A. Through all the proceedings of Friends, relative to that meeting, I believe, without an exception, there was printed communications, at the preceding meeting, setting forth the object of meeting at the next; and I believe there are now public documents, fully developing every movement and object relative to that meeting, and from my incapacity to give a satisfactory statement, I shall be under the necessity of referring to them.

Q. Will you furnish me with the public documents you have referred to, and I have no objection to take them as a part of your answer?

A. I have not got them here, nor any of them.

Q. Was there not another general meeting held in Philadelphia, after the adjournment of the Yearly Meeting of 1827, by those who had been friendly to the appointment of John Comly, and before the meeting of which you have spoken held by them in Tenth-month?

A. I think that question wants some modification.

Counsel. Well, modify your answer so as to meet it.

Witness. As to the friends of John Comly, I know nothing of them, in connexion with this meeting spoken of; but I know there was a meeting held in Sixth-month; a meeting of Friends I should have said, and designed to say; preparatory to this meeting referred to, in Tenth-month following, and that their proceedings were published—owing to my indisposition, I think, I am not enabled to give a full relation thereof.

Q. Did you attend it?

A. I did.

Q. By what authority was that meeting convened?

A. I think it was convened in consequence of an invitation being published to the members of the Yearly Meeting of Pennsylvania and New Jersey, etc. giving a general invitation to them, to then meet and consult together.

Q. How was that invitation published?

A. Indeed I cannot tell at present.

Q. Was it in any newspaper, or other publication circulating generally through society?

A. I think it was in pamphlet form.

Q. Did that pamphlet contain the address, agreed upon in Fourth-month?

A. I think all the proceedings of Fourth-month were contained in that pamphlet, to the best of my recollection.

Q. The conclusion then to convene this meeting in Sixth-month, was come to in Fourth-month, and these invitations published accordingly?

A. That is my present impression.

Q. Were these invitations issued to those who accorded in sentiment with the address issued by, and the proceedings of, the meetings for conference in Fourth-month?

A. There was an address issued to all who considered themselves members of the Friends' Society, belonging to the Yearly Meeting afore-

said, in Fourth-month, I believe, to meet in Sixth-month, to hold a general conference on the state of society.

Q. Were the proceedings of these meetings for conference brought before, or in any way made known to, the Yearly Meeting of 1827, at any time during its sessions, to your knowledge?

A. A great majority of Friends, in my opinion, have never considered the meeting spoken of, as a meeting regularly held; hence no communication was made to it on that subject, that ever came within my knowledge?

Q. Were the invitations to the meeting to be held in Tenth-month, also addressed to all who composed the society, or to those only who were friendly to your views?

A. I am not capable of giving a full answer to that question. But shall refer to the document published containing the proceedings of that meeting.

Q. Have that portion of the society of which you have spoken, as having held these several meetings during the year 1827, established a meeting which they call a Yearly Meeting in Green and Cherry streets, Philadelphia?

A. From the recommendation issued to the Monthly and Quarterly Meetings, composing the Pennsylvania Yearly Meeting, &c. the Quarterly Meeting, of which I am now, and long have been, a member, appointed four representatives, (at their Quarterly Meeting of Eighth-month, 1827,) from each Monthly Meeting composing that Quarter, to meet in Tenth-month in Philadelphia, to hold a meeting in conjunction with those from other Quarterly and Monthly Meetings, which I think was denominated a Yearly Meeting.

Q. By what body was that recommendation issued?

A. By the meeting which was held in Sixth-month.

Q. Is that meeting of which you have spoken as a Yearly Meeting, in correspondence with the Yearly Meeting of London, or of any of the Yearly Meetings on this continent, in which a division of the society has not taken place, including New England, Virginia, and North Carolina?

A. I did not attend the last Yearly Meeting in Philadelphia; therefore, am not able to give any information on the subject.

Q. Has it ever been recognised by any of them?

A. I cannot give any information on the subject.

Q. Since 1827, have those persons who attend the meeting of Green and Cherry streets, attended the Yearly Meeting held in Arch street, Philadelphia, or been acknowledged by it as having a right so to do?

A. I know nothing on the subject, so as to give an answer.

Q. Upon what principles was the enumeration of the members of Bucks Quarter taken?

A. There were persons who were acquainted with those who had left the different Preparative and Monthly Meetings, who were called upon to take down their names, who accordingly did so; and also the names of those that still continued in membership.

Q. Were those persons who made the estimate, on your side of the question?

A. Of course, as we had no control over the others.

Adjourned until 10 o'clock to-morrow morning.

Thursday, December 9th, 1830, at 10 o'clock, A. M. Cross-examination of Cephas Ross continued. Present as before.

Question by Mr. *Sloan*. In the enumeration spoken of, did you count all as being attached to your party, who did not leave the several meetings?

Answer. We took down all, whose sentiments we considered ourselves sufficiently acquainted with, for so doing, and some that were either by connexion or otherwise who was with us, we took down as doubtful, or undetermined—neutral.

Q. Did you mark all as neutral, who had not expressed a decided opinion, one way or the other?

A. All the adults, without any exception, as far as I know.

Q. Did you hear these expressions of opinion from the different individuals themselves at the time, or take it from general understanding as to their sentiments?

A. The greater portion of the names which were taken down, if not all, by myself, I think I had heard express their sentiments on the subject previous to, or at the time of so taking down their names. As to what was done by others, I cannot state.

Q. How did you ascertain their sentiments?

A. By their approving or disapproving of the conduct of those called Orthodox.

Q. Was not the usual interrogatory put to them, whether they wished to continue members of the Society of Friends, or something to that effect?

A. That interrogation was never put to any, to my knowledge.

Q. Had all these persons, who were thus applied to, been present at the Yearly Meeting of 1827, and witnessed the proceedings of that meeting?

A. I know of no persons being applied to for a sentiment on the subject; but the knowledge I had received, grew out of accidental conversations that I had had with them in private circles, or expressions made in our public meetings. It is my opinion, that it never has been the practice for one-fourth of the number, or not more than one-fourth, of the Quarterly Meeting of which I am a member, including those who are now styled Orthodox, to attend at any Yearly Meeting, since my recollection.

Q. Was this estimate made after the report of the representatives to Bucks Quarter, in Eighth-month, 1827?

A. If my recollection serves me, it was made in the latter part of the year 1829, or beginning of the year '30. Although there might have been an estimation made previous to that time, that is, previous to 1829; but at no time, I believe, in the year 1827.

Q. How many of these names did you take, from your individual knowledge of their sentiments?

A. As I am speaking of the adults only at present, and am not certain as to the exact number, I should say the probability was, that I took down the names of from *twelve* to *twenty*.

Q. If I understand you, you placed the names of those who disapproved of the proceedings of those you style Orthodox, on your side?

A. Those who had expressed themselves to that effect, only, as I have before related.

Q. How many were there in your Preparative side;

and state, as nearly as you can, the proportion of male and female adults, and of minors?

A. I at some period made a calculation, knowing all the members, and to the best of my recollection, we stood fifty-four to eleven male adults. As to the females, I have not a knowledge; although an estimate was taken, at the time of this enumeration, of them also, I have at present no recollection of the numbers. An enumeration was also taken of the number of the minors, which I do not recollect at this time.

Q. Can you state the number on each side, in the Monthly and Quarterly Meetings; if you can, do so, and state the number and proportion of male and female adults and minors?

A. I have before stated, that to the best of my recollection, that there was near five-sixths Friends and one-sixth Orthodox, or a little more. This is the whole number, minors and all. I cannot answer the question further, as I do not recollect.

Q. How many undecided persons, or neutrals, were there?

A. I cannot recollect the exact number; but do recollect that it was very small.

Q. In this estimate, were minors placed with their parents?

A. I believe they were, in every instance; although we had information from good authority, that there was a number of children that had expressed that necessity alone compelled them to attend the Orthodox meeting.

Q. Did you take the estimates in the Monthly and Quarterly Meetings yourself?

A. I have before stated the number of names taken down by myself, and that was entirely within the limits of my own Preparative Meeting.

Q. Your knowledge, then, of the relative proportions in the other meetings, is derived from the information of others?

A. Yes.

Q. You have spoken of *disownments* made by the society which you call Orthodox—has a person against whom one of these testimonies has been issued, any right of membership in the Yearly Meeting held in Arch street, Philadelphia, or in any of those Yearly Meetings of the Society of Friends, in which a separation has not taken place?

A. I believe, that in no one instance, since I have been before this court, have I heard this subject of disownment introduced. If I have, it has slipped my recollection. And as to the Yearly Meeting spoken of, held in Arch street, Philadelphia, I have no knowledge—or if there is such a meeting held, I know nothing of its regulations, nor of what liberties is granted by other Yearly Meetings referred to, to the members of the Yearly Meeting which I consider myself a member of.

Q. Has it been always the usage of the Society of Friends to confine their meetings of discipline to their own members?

A. As far as my knowledge extends, there has been a general disposition prevailing with that society to do so.

Q. Would it not be considered out of order to proceed with the transaction of their business, unless the meeting was so select?

A. I cannot answer for the society generally, knowing that there have been sometimes instances of persons so sitting who were not members.

Q. With the knowledge and approbation of the meeting?

A. That I cannot say, yea or nay.

Q. You have stated, that those you call Orthodox have changed the

places of holding some of their meetings within the limits of Bucks Quarter,—in all those cases, have not those persons who are in unity with you, and profess to be members of the meeting annually held in Green and Cherry streets, been in the possession of the houses, and declined to withdraw, or permit them to proceed in the transaction of their business, as members of the Society of Friends?

A. It is a question that takes a very broad ground. I am a member of Plumstead Preparative Meeting, a branch of Buckingham Monthly Meeting. Some time in the year 1827, after the confusion which took place in Fourth-month, at Arch street meeting house, and after the confusion which was produced by a committee sent from that meeting at Arch street, in the Quarterly Meeting of Friends held at Falls, there were several persons, not members of the Preparative Meeting of which I am a member, attended said meeting at one of its sittings. One of those strangers demanded the table of that Preparative Meeting's clerk, to hold a Preparative Meeting—the table was refused. I think, at the next Preparative Meeting they again appeared. I do not recollect that they again demanded the table or not; but they offered a minute that had been ushered from some of their meetings, to be read. Every proposition made by them, as far as I now recollect, was rejected, as an intrusion upon the regular proceedings of that meeting. They withdrew; and I don't know as they offered any thing afterwards of that nature. With them, left us, or left the meeting, a number of members, to the amount I believe of *seven* or *eight*, one of which was an elder, who previously had declared, in one of our meetings, that he considered himself the delegated shepherd over it. Whether before or after, I do not recollect; but I think after the first demand of the table of our clerk, the same demand was made in our Monthly Meeting, and was rejected; notwithstanding there was a considerable number who were not members of Friends' Meeting, nor were not connected, in no way, with either party, then convened. They proceeded, and held a Monthly Meeting. Their proceedings was remonstrated against, without effect. When they had retired, Friends held their Monthly Meeting in the usual order of society. As for what took place at other Monthly Meetings, I have no knowledge but from hearsay.

Q. Were these proceedings all, after you had determined to hold that meeting in Tenth-month, and the Bucks Quarter became a party to that proceeding?

A. I cannot positively say that they all were; but I think probably they were.

Q. In the address which you have spoken of as having been issued by one of those meetings for conference, is it not set forth as one of the primary causes for a separation, that "doctrines held by one part of the society, which we" (meaning that portion of it then assembled) "believe to be sound and edifying, are pronounced by the other part," (alluding to that part which you have since styled Orthodox) "to be unsound and spurious?"

A. As to the address referred to, I think it is three years, if not more, since I have read it: and from the question asked, it appears to me that the counsel is more conversant with that document than I am; therefore I shall refer him to it.

Q. Will you state what were the doctrines referred to by that meeting of conference, about which the society differed in their views?

A. To end the questions of this nature, I will merely state, that I do not feel free to answer any question touching on doctrinal points.

The cross-examination of the witness being now read over to him, he explains as follows:—

When I was asked on Tuesday last, “whether the book of discipline is the standard by which the regularity or irregularity of a proceeding in the society is to be judged,” I must have misunderstood the question, as I was under the impression that the word *faith* was in the question. My further answer to that question, and to the next one following it, is, that the Society of Friends uniformly refer to the book of discipline, when any difficulty occurs in the transacting the business of a meeting, in the meetings of which I am a member: further, I have no knowledge.

[NOON.]

And the said Cephas Ross being again examined in chief on the part of the said complainant, and Stacy Decow, further saith:—

Question by Mr. *Price*. Although you did not know most of the persons in the meeting of representatives, have you any doubts as to the conduct and actions of those who opposed the nomination of John Comly?

A. Supposing the question to have reference to the manner in which they opposed that nomination, my opinion is, that far the greater number acted under the influence of excitement produced by the nomination of John Comly.

Q. Was that conduct such as to entitle them to a concession of that weight and influence they appeared to claim?

A. I thought to the reverse: when I spoke that I thought to the reverse: I do not mean all those who opposed the nomination, but those who were the most active in that opposition.

Q. Was it the contrast between the conduct of those who were the most active in that opposition and that of John Cox, that induced you to approach and converse with him, upon the matters you have related?

A. I have before observed, that all the conduct of John Cox, both in the representative committee and in the sittings following, were marked with the most peculiar piety: and I, perhaps for the first time since I have been before this court, it strikes me that while the confusion prevailed among the representatives, John Cox did in a very tender manner, exhort us to moderation. Those, I believe, were the strongest inducements for me to approach him.

Q. When you say, “exhorted us,” do you mean of both parties?

A. I don’t know, as I include any one of those friendly to the nomination of John Comly, except myself.

Q. You have been asked, on the cross-examination, if the proceedings which have eventuated in the separation of the society, originated in those conferences at Green street: I would ask you whether, according to your observation, such proceedings did not originate on the part of the party called since Orthodox, and its committees?

A. I have answered already so much on that subject, that I hardly know how to go much further: I can say, that I believe that the committee which attended the meetings throughout the country, was the greatest cause of the division among us. I attended one meeting myself in New Jersey, after one of this committee had misrepresented, as I conceived, the Monthly Meeting of which I am a member, and preferred

some charges against me personally: I asked liberty of that meeting to reply: I believe seven or eight persons rose and objected; and, according to my impression, I heard odds of twenty voices that granted me the liberty. I then attempted to proceed, when nearly all, or quite all, of those seven or eight stood up on their feet, or was standing, and peremptorily ordered me down. I remarked that I had received the liberty of the meeting. They still continued hallooing at me to sit down. At last, one who I believe is a minister, told me that if I did not sit down, they would appoint four persons to carry me out, and send for a constable, and take me before authority, and fine me ten dollars. A number of scenes of a similar nature, though not to the same extent, have grown out of the proceedings, or under the influence of that committee, according to my judgment.

Q. Is it what was called the "Yearly Meeting's committee," that you last referred to?

A. Yes.

Q. Who was the individual that threatened to have you carried before authority and fined; and where was it?

A. Joseph Whitall is the person alluded to; and the circumstance took place at Salem, in this state.

Q. According to your own observation, do your meetings appear to be attended by a proportion of numbers, equal to that stated to be about the result of the count, taken by yourself and others within Bucks Quarter?

A. I have attended very few meetings, besides the particular meetings of which I am a member, except the Quarterly Meetings, which last, I think, I have pretty regularly attended ever since the year 1827. Those Quarterly Meetings are held at the time and place at which they have been held for many years—and according to my observation, as to my own meetings, had it not been for the enumeration spoken of, I should not have thought that one-sixth had left us. And the Quarterly Meetings generally, in *appearance*, are nearly as large, if not quite, as when both parties formerly met together.

And being again cross-examined on the part of Joseph Hendrickson, this affirmant further saith, as follows:

Question. Have you very generally attended the Quarterly Meetings, since 1827, of your Quarter?

Answer. I have.

Q. Do you know whether there are not many others like yourself, who have become attendants upon the Quarterly Meetings since 1827, who were not before in the habit of doing so?

A. I attended the Quarterly Meetings pretty generally, for some time previous to the year 1827, with the exception of those meetings referred] to, held in the winter, in a former answer. Notwithstanding, I have no doubt that there is a number who attend those meetings, that were not in strict attendance previous to that date. But I have no idea that that number is equal to one-fourth of the Orthodox which have left the meeting.

Q. Have you always been in full unity with the society?

A. I have always, when exercising any opinion on the subject, approved of them as a religious community.

Q. Have they always approved of you and your proceedings, or have

you been subject to the order of their discipline, and that unity been interrupted, previous to the year 1827?

A. I, like other young members in my youthful days, was guilty of many improprieties, but I am blessed with being able to say, that there has never nothing extremely disgraceful that has occurred, which has subjected me to be brought before that religious community. In the year 1796, I think it was better than thirty-four years ago, I married a woman not in membership with Friends, and of course not according to the order of the society, for which circumstance I afterwards became reconciled with Friends.

Counsel. I wish the witness distinctly to understand, that my question was not intended to imply any disgraceful act upon his part, or in any way to impeach his moral character: it was intended only (as he had been called here to testify to matters relating to the proceedings of a society, who, from their peculiar organization, and confining their business transactions very much, if not exclusively, to their own members, and but little known to the community at large, so far as respects the administration of their discipline, and more especially to the tribunal in which this cause will be decided) to ascertain how far opinions entertained by him, on matters which must depend on opinions only, were entitled to weight; apprehending that in this point of view, very much must depend upon the fact, as to whether the witness had or had not been in the habit, for a long series of years, of regularly attending the meetings for discipline of the society.

The witness proceeds.—In the year 1798, after receiving a certificate from the Monthly Meeting of New York, being assailed by a man who valued himself as a bully in the neighbourhood, I fought him; for which I made an honest acknowledgment and condemnation to my Monthly Meeting. That, I think, was thirty-two years ago last Seventh-month, (or July.) Nineteen years ago last Fifth-month, I think, having lost my former wife, I married another who was in unity with Friends, but was not a member. In reply to some remarks made since the question was put to me, and in justification of the pressing anxiety I had to make the present statement, I will observe that those circumstances here related, have been circulated in private circles, as I suppose, with a view to injure my reputation. And in further reply to the last observations, I will state, that near five and twenty years, if not quite, I have been what would be called a middling steady attender at Friends' meetings; and that, except that part of the time, while I was under the notice of Friends for my last breach, in marrying, and I think for ten years previous to 1827, I might with propriety be called a steady attender; and I owe my promotion, in the business of Preparative and Monthly Meetings, almost, if not quite all, to the members of that then meeting who are now considered Orthodox.

Counsel. As the witness has persisted, notwithstanding the explanation of my views, in spreading upon the record these matters of private history, I can only understand it as having been done for effect. As an act of justice therefore to the party whom I represent, I feel it my duty to say, that neither from them nor from any other source, had I a knowledge of the facts of which he has thought proper to speak. My question was one, growing, as I conceived, out of the previous examination. The witness himself having stated, that he had never been under any appointment of the Quarterly Meeting, until his appointment in 1827.

If there is any thing personally offensive in the question, it must rest solely on me; and as I never saw him, nor never heard of him until within the present week, I can scarcely suppose, that with the explanation I have made, he will attribute to me any such motive.

Question by counsel. Did John Cox, in his address to the meeting of representatives, or in the Yearly Meeting, make any distinction between the parties to whom he addressed that discourse?

A. The exercise referred to in a former answer, was immediately following some observations made by a number of those who were in favour of Samuel Bettle, and myself,—therefore, I considered them for us, and for us only. When I speak of this exhortation, I have reference to the committee of representatives; I do not now recollect of distinctly hearing him in the meeting of that body, which some style a Yearly Meeting.

Q. In answer to a question put to you relative to the origin of the causes of the separation by the opposite counsel, in the re-examination, you have spoken of the proceedings of the body who styled themselves the Yearly Meeting's committee, at several places; were they not all after the Yearly Meeting of Fourth-month, 1827?

A. I know of no Yearly Meeting's committee prior to Fourth-month, 1827; and I am decidedly of the opinion, and I must confess that a considerable proportion of my energies were brought forth, under the impression that that committee's appointment was designed to sow the seeds of dissention among the Society of Friends,—I was led to this conclusion from their conduct; in no one instance, as I recollect of, did I discover any thing like a disposition to reconcile the parties.

Q. Had there never before that period, been a committee appointed by the Yearly Meeting, to visit the subordinate meetings similar to that committee?

A. I cannot say that there was: but there is one thing I know, that we had ministers of peace travelling amongst us; and whether they belonged to any committee or not, I do not recollect.

Q. Were you present at the Yearly Meeting of 1827, when that committee was appointed, or had you left?

A. I have no recollection of that, or any other committee being appointed, in Fourth-month, 1827, at present.

Q. I think you have stated that you did not attend the sitting of Seventh-day?

A. I did state so.

Q. You have also stated, that the address spoken of by you, was prepared by a meeting at which you were present?

A. I answer, that I stated that I attended a conference which issued an address.

Q. By whom was that address signed?

A. I will refer you to the document,—I cannot recollect who it was signed by.

Admitted by the parties, both complainant and defendants, and their counsel, that the address or document, to which the witness now refers, is the same which is made an exhibit in this cause, and marked No. —, and which is not now here to show the witness.

Q. Was not that address then agreed upon by you previous to the appointment of this committee, whose proceedings you complain of?

A. I have stated, I knew of the appointment of no committee.

Q. Was it not agreed upon before you left the Yearly Meeting?

A. It was agreed to issue an address previous to my leaving the city of Philadelphia; but whether before I left the Arch street house for the last time or not, I cannot say.

Q. In what capacity did you attend that meeting at Salem, in New Jersey, of which you have spoken?

A. In the capacity of a member of a committee appointed by the Yearly Meeting in Tenth-month, 1827.

Q. Was not that the reason assigned by those who objected to your being officially received or heard, for their objections, that the meeting whose committee you profess to be, not being a regular meeting of the society, you could not be received as its committee in any meeting of the society?

A. There might possibly have been something said relating to that circumstance, but as for reason, I do not believe it entered within the pale of their conduct that day.

And further this affirmant saith not.

CERPHAS ROSS.

Affirmed as aforesaid, and subscribed this ninth day of December, in the year of our Lord, one thousand eight hundred and thirty, at the house of William Ridgway, in Camden, in the county of Gloucester, New Jersey, before me,

J. J. FOSTER,

Master and Examiner.

Adjourned until half past nine o'clock to-morrow morning.

Friday morning, December 10, 1830, at ten o'clock. Examinations continued. Present the same as yesterday.

HALLIDAY JACKSON, of Delaware county, Pennsylvania, a witness produced on the part of the complainant, and Stacy Decow, one of the defendants, alleging himself to be conscientiously scrupulous of taking an oath, and being duly affirmed, according to law, on his solemn affirmation declareth and saith, as follows, viz.

Question by Mr. Price. What is your age?

Answer. I am in my sixtieth year, turned of fifty-nine.

Q. Are you a member of the Society of Friends?

A. I am, by birthright; and my parents before me were such.

Q. How long have you taken a part in the proceedings of the meetings of that society?

A. I have been more or less active in the meetings of discipline, for more than thirty years, perhaps near thirty-five. I have served in most of the offices in the Society of Friends, with very few exceptions.

Q. Have you been in the station of an elder, and if so, how long?

A. I have been under that appointment, since the year 1815. I think some time in that year, my appointment was made.

Q. Within your knowledge, have certain individuals in the city of Philadelphia, been in the habit of exercising a control in respect to the ministry, not warranted by the discipline of the society?

A. They have long been reputed to have done so. Not being a citizen of Philadelphia, I can only speak from common report, until some occurrences which have taken place within the last seven or eight years. I am at a loss to fix any period, when this disposition first discovered itself. I am, however, induced to believe from the information I have received from some other Friends, that it principally originated in what was called a "Second-day morning meeting of ministers and elders,"

which had been held, I suppose, for a long time, in the city of Philadelphia, by the members of the meeting of ministers and elders who resided in the city. From what I can learn of the history of this meeting, it was a self-constituted meeting; I suppose set up by common consent of the parties composing it, unauthorized by the discipline of the society, and not accountable to any superior meeting that I could ever understand. In this meeting, I have understood from some who were members of it, that if a ministering Friend in the city had a prospect of performing a religious visit, it had become a common practice to open it when collected in that meeting to their friends. Hence there was a judgment given on the subject of the concern; if it was there united with, it was then very well, and the Friend was at liberty to open it to the Monthly Meeting, which last was the only legitimate body to judge, and decide in such concerns. If it was not united with in that meeting, the Friend, of course, was discouraged, or perhaps would hardly have sufficient strength to open it to the Monthly Meeting. I am also induced to believe, that if any in the course of their ministry in the city meetings had given any uneasiness in the exercise of their gift, they were there in this public manner brought to some account. And I don't know that I can give any instance of strangers, but I am induced to believe, that when strangers came to the city, if they had given any dissatisfaction in the public meetings, they were there also called to an account. Hence it became a common saying, and almost proverbial, that strange ministering Friends who came to Philadelphia, "must pass through the mill." I think about the year 1806, the time this book of discipline was revised, (the witness having the book of discipline exhibited, No. 13, in his hand,) one of the members of the Meeting for Sufferings, or who was afterwards a member, informed me that this Second-day morning's meeting of ministers and elders came under consideration, and it was found that there was no discipline to support its continuance. Many valuable Friends became uneasy lest it should have an undue influence in society, and be productive of fruits that would not give general satisfaction. It was, therefore, discontinued, I think, for some time. And I believe never since resumed. There was some time after that a proposition came forward, from Philadelphia Quarterly Meeting to the Yearly Meeting, I cannot recollect the year, but it was not long after it had been discontinued, requesting the Yearly Meeting, I think, to consider the propriety of establishing such a meeting by discipline, or to that amount, I can't remember the expressions. As is usual in such cases, the subject was referred to a large committee; I was one of that committee myself. There were strenuous efforts made by a few individuals, I think, principally in the city, to recommend the establishment of such a meeting; but it did not meet the general view of Friends from country meetings, and it was negatived, or put by; and I think in substance reported to the Yearly Meeting, that way did not open to establish such a meeting. The committee could not see the advantages it would be of to society. Perhaps it may be right to add, as it may have some bearing in the course of this examination, on the part that some individuals have taken in the late scenes of confusion, that I am not certain that there was more than two or three of those who are now members of the Yearly Meeting of ministers and elders residing in Philadelphia, that were active members in that meeting at that time. Being married in Philadelphia, in the year 1801, at Pine street meeting, and being pretty well acquainted with the

members of that meeting, I believe Jonathan Evans was there in the station of an elder, and an active Friend in the society. I think Ellis Yarrall, and perhaps Leonard Snowden, were also active members of the meeting of ministers and elders, though I am not so certain about Leonard Snowden.

Q. Notwithstanding the dissolution of the meeting you have been speaking of, have the elders of the city, within your knowledge, continued to exercise such unauthorized power to interrupt travelling ministers, and if so, state the instances?

A. I have heard of a number of instances. It is a good many years ago; I cannot fix the date, but I remember to have heard that Daniel Haverlin, from the state of New York, coming under a prospect of a religious concern, to visit the families, I think, of Pine street Monthly Meeting; perhaps two or three; twice, if not at three different times, I am not certain as to that, his prospect was set aside, and he was not permitted to proceed in his visit; after opening his prospect, I suppose, to the Monthly Meeting, some of the leading members of the Monthly Meeting were opposed to it: and I believe he never accomplished the visit. He had at different times, I think, been in Philadelphia, and one of the last times that he was through this part of the country, that I remember, he was at our meeting at Darby; I cannot remember the year. I was in company with him in the afternoon, and I think he expressed that he felt very much tried to pass through Philadelphia, and would be willing to get around it, if he could. Whether he did come through the city or not, I cannot say. Samuel Livzely also came to Philadelphia, at several different times, under a prospect of visiting the families of Arch street, (or Mulberry,) Monthly Meeting; the Monthly Meeting of Philadelphia it is called. His prospect was also put by, or rejected, as I have understood by common report, and from himself. There were also some women Friends that I have heard of, who came under similar prospects, and who were also rejected, whose names I do not remember. Perhaps it was one woman Friend and companion, I am not certain that there was more than one woman Friend that was a minister. These circumstances have induced me to believe, that there was a disposition growing up in some of the leading members of the society in Philadelphia, and who had very much the control of the business of the Monthly Meetings, who were assuming a standing, or arrogating to themselves the right to judge of the concerns of other Monthly Meetings. For I think, so far as my knowledge has extended within the Monthly Meetings that I have been a member of, when any Friend, ministering Friend, came to visit us, in gospel love, either in a meeting capacity, or in visiting families, the meetings have never undertaken to control their prospects.

[The question is again read to the witness, at his request, when he further answers.] Well, there are other instances: there was a Thomas Brisell, from the state of Ohio, a very worthy, innocent Friend, not largely gifted in the ministry: he came to Philadelphia, and, I think, attended Pine street meeting. I understood he was led to speak in that meeting, a good deal on the subject of love and unity. He was afterwards, as I understood, and I think he informed me himself, as he went through our parts on his return, severely reprimanded by Jonathan Evans. I cannot give the particulars, but I think the substance was, that Jonathan informed him that it was not a time to preach that kind

of doctrine, or something to that import. Being a diffident, humble minded man, it had such an effect to discourage him, that I think he made the best of his way home pretty soon after, without performing all he had in prospect. I was well acquainted with the man: I had travelled a good deal with him to a number of the meetings in this state, (New Jersey) and also in Pennsylvania; and I was very sensible, that from his diffident and backward disposition, he much more required the sympathy and encouragement of elders, than to be discouraged, and treated in the manner that he was, by Jonathan Evans.

There was—the next instance that occurs to my mind (though it was perhaps previous to the circumstance last related) was the circumstance of Priscilla Hunt, a worthy ministering Friend, who came from the state of Indiana, and who at that time was a widow: I think she arrived in this neighbourhood about the latter end of the year 1822, or some time in that fall, I can't say as to the month: the first meeting she attended in the city was Pine street meeting. After the close of her testimony, as common reports say, I was not at the meeting, but I believe it has never been contradicted, William Evans made some public opposition to some part of her testimony. In the course of her visit at that time, there were some other marks of hostility shown towards her. After spending some weeks in the neighbourhood of Philadelphia, and in the meetings adjacent, and the Quarterly Meetings, she went to the northward, (having first attended the Yearly Meeting in the spring of 1823,) through the state of New York into Upper Canada; afterwards into New England; and after visiting, I think, all the meetings belonging to the Yearly Meetings of New York and New England, in the summer following she returned again to Philadelphia. She then had a desire to have a meeting at each of the meeting houses of Friends, principally with the members of their own particular meetings, and such others as attended Friends' meetings. Application was made to the elders (perhaps) at each place, and overseers, to have such meetings appointed. At Pine street I understood there was considerable opposition made to the request by Jonathan Evans, and I think one or two of his sons, if I have been rightly informed: the meeting, however, was obtained without their consent. I think two of the elders of that meeting and a number of other Friends were strongly in favour of it. Meetings were also had at the other four meeting houses in the city; but that at Arch street was obtained much in the same way. I myself, with a companion of Priscilla Hunt, who was then travelling with her, applied to Caleb Peirce, one of the elders of that meeting, and made application to have such a meeting appointed. He informed us, that their general practice was, on such occasions, for the elders to have an interview with the Friend making such request, and to feel after their concern. We informed him that we saw no necessity for that: she was travelling in the order of society, with a certificate expressive of the unity and concurrence of her friends at home; and all we wanted was for him to have the notice spread for the meeting, and enjoined it upon him to do so. He informed us that he should consult Friends on the subject, but gave us no assurance of the meeting being appointed. I understood they had a conference that evening on the subject; the elders, perhaps, and overseers, and perhaps some others of that meeting; considerable opposition was made to the appointment of the meeting, I think by himself, and perhaps by Thomas Stewardson, another elder of that meeting. They were, however, over-

owered by numbers who were in favour of it, and the meeting was appointed. At the other meetings there was but little opposition made: one at Green street, nor at Twelfth street, I think, as I recollect. There was some hesitation, and some delay, and a good deal of caution used at the north meeting before she was admitted. She accomplished her visit in these parts, I believe, to almost universal satisfaction, with few exceptions in the city, and returned home; having, as she informed me herself, visited all the meetings that were then established, (that is, while she was engaged on the visit,) meetings of Friends, I mean, on the continent of America; except, perhaps, three or four in the western part of Pennsylvania, which she expected to take in her way home, and I believe did so.

As we are now about the period of the opposition made to Elias Hicks, among the instances referred to in the question, it may be proper to state, that in the year 1819, Elias Hicks, on his return, I think, from a visit to the Ohio Yearly Meeting, was at our meeting at Darby; I think

Monthly Meeting, if my recollection serves. The next day he came to Philadelphia, and attended the Monthly Meeting at Pine street. Myself and several other Friends from Darby were there. Elias was much engaged in the public meeting previous to entering upon the business of the Monthly Meeting, in the exercise of his gift in the ministry. I cannot undertake at this remote period to recite much of his testimony, but I think he was led to speak pretty close doctrine to some who might have stood as rulers or leaders among the people: and if I remember right, he drew some comparisons, that they were going round and round, as it were, like the children of Israel, and not advancing forward; and called on the young people in a very affectionate manner, not to rest in the traditions of the fathers, or something that implied that, but to go forward and to advance the work of reformation. In the meeting for discipline, or perhaps in both that and the foregoing meeting, he was led to speak on a subject that was very near and dear to his heart—that of the oppressed Africans. He had long borne a faithful testimony against the use of the produce of slave labour; and he spoke pretty closely on that subject, and seemed, I think, to point out, or imply, that there were some who had not stood faithful in the maintenance of this testimony, which they had at some former period supported; and that they were rather taking a retrograde course. After he had relieved his mind apparently among the men, or in the men's side of the house, he expressed concern that he felt to visit the women Friends in their apartment.

I think the first that spoke to it was Jonathan Evans, if I recollect right. He expressed some disapprobation of it; I do not remember his words. But there were a large number of other Friends that expressed their full unity with his being left at liberty. Isaac Lloyd among the rest, who was an elder of that meeting, and Isaac was named to accompany him into the women's apartment. They had not been long in the women's apartment, I think, when a proposition was made by Jonathan Evans to adjourn the meeting; although the business of the meeting was not gone through with; neither was it late in the day, not more than usual dinner time. Jonathan alleged that they were not qualified, he thought, to proceed on with the business, and said that it had been a very trying or painful meeting to him, or something to that amount. There were several Friends, I think, a number, that expressed their disapprobation of adjourning the meeting, while Elias was engaged in the women's end,

as an unprecedented circumstance. There were among these, I remember, William Wharton, who pretty strongly objected to it. John Hunt of Darby was also there, and expressed his disapprobation to it, as a thing unusual; and there were a considerable number of others that I don't now so recollect as to name them; there were, however, a few individuals that coincided with Jonathan's proposition, among whom, I think, were one or two of his sons, and a few others, and Jonathan himself seemed to urge the measure further, and finally they adjourned the meeting. Several of us remained at the door, after that the meeting was adjourned. I expressed my surprise at the time, and regret, to several individuals, that such a circumstance had happened, as it would inevitably be considered as an act of open hostility, or opposition to Elias Hicks.

Elias was a considerable time in the women's meeting, engaged in his gospel labours amongst them, after this adjournment took place, as we could hear his voice in the yard, outside of the house. When he came from the women's apartment, he said he was very much surprised at the circumstance, but he picked up his great coat, and observed, "It was very kind they had left his coat for him." Isaac Lloyd also seemed very much tried, and hurt, with the conduct of the meeting, in so adjourning.—Several of us dined with Elias that day, I think at Samuel R. Fisher's; and Elias seemed to be a good deal hurt with the conduct of the meeting; and asked the company that were present, if that was the way they served strangers when they came to visit them? This circumstance created a great excitement among Friends generally, who came to the knowledge of it, as it was considered a very unusual and unprecedented thing in the Monthly Meeting, and a mark of great disrespect and public hostility to that eminent and dignified minister of the gospel of Christ, who, in his former visits, as well as at that time, had been universally approved and admired, wherever he had travelled in this part of the country; as was fully evinced by the unusually large congregations that assembled at his meetings. I think the next visit that he paid to Philadelphia and these parts, was near the close of the year 1822. I was at Baltimore Yearly Meeting that fall, and Elias Hicks was then in attendance, with a number of other strangers. I had, previously to my leaving home, just heard something of the report that Joseph Whitall had circulated in Philadelphia, respecting some things that he had heard Elias Hicks say at the time of the Yearly Meeting of New York, in the previous spring.

[NOON.]

Hearing the account that had been circulated by Joseph Whitall from one of my neighbours, suggested in a friendly way by a person entirely friendly to Elias Hicks, it gave me some concern and uneasiness on the subject. I had had a great esteem for Joseph Whitall, and I believe it was mutual between us. I took an early opportunity with Elias Hicks after going to Baltimore. I called on him at his lodgings, I think, early in the morning, and informed him that I wished to have a little conversation with him. He told me that we would walk up into his chamber where he lodged, and we did so. I then mentioned to him what I had heard of the report which was then spreading in Philadelphia, and the neighbourhood of it. I don't recollect that I mentioned the particulars of the charges that Joseph Whitall had alleged against him; but he in-

formed me that he was surprised that his friends in Philadelphia should be carried away with such tales. He gave me such explanations of the conversation that took place between him and Joseph Whitall, as fully satisfied my mind on the subject, and amounted to a denial of the charges, and the manner in which this conversation had been represented. I think he mentioned that there was a Friend in New York that had long been endeavouring to injure his character by spreading false reports, Thomas Eddy by name, and who perhaps at that time had written a certain letter, which has been alluded to in the course of this examination, some copies of which I think had been sent on to Baltimore, if I am not mistaken. I am not however certain of this, or whether he had then himself received a copy or not. We had a good deal of friendly conversation together; finding the openness and candour of the man, I was entirely satisfied, as to any impressions which the spreading of this report had had upon my mind. I made some apologies to him for the freedom I had used with him, being a young man to what he was; but he expressed much satisfaction that I had taken that liberty; and his esteem, I believe, for me, was rather increased by it. He attended through the various sittings of that Yearly Meeting, and had much religious service, both in their public meetings which were held during the sessions of the Yearly Meeting, and also in the meetings for discipline. I think it was in the last sitting of the Yearly Meeting that an ancient Friend and minister, Evan Thomas, as well esteemed perhaps as any Friend then living in that Yearly Meeting, expressed his great satisfaction with the religious services of the strangers that had attended that Yearly Meeting, among whom was included Elias Hicks, who had been the most engaged of any of the strangers that there attended in religious service. I returned home from that Yearly Meeting; Elias Hicks, I believe, paid a visit to the southern Quarter, and to some of the meetings of it. On his return from there, he was at our meeting, I think, at Darby; and I think he spent two nights, if I remember right, in Darby, or the neighbourhood; and one of the evenings I was with him, when he produced this letter, to which I have alluded, of Thomas Eddy's; and, I think, requested me to read it to the company, (for there were a considerable number of Friends present.) He made his remarks upon it, as it was read; and, I think, pronounced it to be false charges, in the general, I cannot remember particularly. I think it was the next day he came to the city, with a prospect of some religious service in Philadelphia; among the rest, I believe, was that of visiting the families of Green street Monthly Meeting, which visit he performed.

I was at the Monthly Meeting of Green street when he had nearly accomplished his visit, perhaps it was reported so that he expected to finish that afternoon visiting the families of that meeting. The meeting gave him an endorsement, or minute, I don't recollect which, (it was wrote on his certificate,) expressive of their great unity and satisfaction with his visit and religious labours amongst them; I think to the best of my recollection, without a dissenting voice. There was a remark made by some Friend, to alter the minute, to put a word in it, or something, when Leonard Snowdon remarked, that he thought it would do; and it so passed without any alteration. I wish to be understood as giving the substance of the minute, I cannot pretend to give the exact words. It was during this visit, and while he was engaged in the service of visiting the families of that Monthly Meeting, that a number of the elders

in Philadelphia, apparently, had combined together, and made strong efforts to arrest his progress in the further prosecution of his visit at that time. As I was not present in any of their interviews, I don't wish to go into the particulars that took place, as I have them only from information, and can only say that the conduct of a part of the elders in Philadelphia towards Elias Hicks, created a great excitement in the society at large; and there was a very general disapprobation of their unwarrantable proceedings, manifested by a very large portion of the society.

I think Elias paid another visit to these parts, about the fall of the year 1824, if I remember right, near the close of the year; and again, perhaps, in 1826. I think it was at that time, in 1826, that he attended most, or all of the meetings in Philadelphia, when there was public opposition made to him. In the meetings where I was present, Pine street was the first, I think. At the close of his testimony, which was a very solemn and impressive one, I think, (and which was fully evinced by the solemnity of feeling that was generally prevalent over the meeting,) Jonathan Evans got up and had considerable to say, evidently in opposition to Elias Hicks. He was followed by Isaac Lloyd, another elder of that meeting, who made some few expressions amounting to the same thing. This created a great excitement and sensation in the meetings, and a very general disapprobation of their conduct was evidently manifested. In the afternoon of the same day, he attended western district meeting, where there was an unusually large assemblage of people collected; the house was filled, and the yard around it was nearly filled, I think, and many hundreds went away for want of room, as it was thought by many, and I saw large companies going away.

Elias was largely engaged in the exercise of his gift in that meeting, and although the house was so exceedingly crowded that many were standing wherever they could get room to stand, yet the meeting was solemn and quiet, whilst Elias was thus engaged. As soon as he sat down, Thomas Wistar, one of the elders of that meeting, arose and expressed the same kind of opposition, or at least, of the same nature that had been manifested by Jonathan Evans and Isaac Lloyd, in the forenoon meeting. It produced a great excitement in the meeting, and a general indignation was manifested, more especially by the youth, I think, in the galleries, and principally, I think, by them,—some of whom cried out to Thomas Wistar to "sit down." I think Elias spoke mildly to the people and endeavoured to quiet them, and requested them to "hear what the Friend had to say." The meeting, at length, got quiet. Willet Hicks from New York, was there, and had a short testimony that seemed to be impressive on the meeting. The meeting then closed pretty much in the quiet; as much so, as could be expected after such a degree of excitement. Elias, the next day, I think, had a meeting in the country, at Merion, if I remember right. He returned to the city, and I think, was at the north meeting the day following, when opposition was again made to him, by a woman-elder of that meeting, I think; and what might be called an *opposition sermon*, I think, if sermon it could be called, was then and there preached by Othniel Alsop. There was a very general disapprobation manifested in that meeting by a considerable portion of the members, more particularly among the younger class, by their making some unseemly noises with their feet, perhaps, in order to prevent the opposition that was making to Elias Hicks. Elias

again quieted the people, by requesting them to keep quiet, and silence, and hear what the Friends had to say; telling them, "that it was a privilege the members of society had, to speak one by one, in order that all might be edified." I think he returned home soon after this meeting: and I don't remember any other particulars at present, respecting his visit at that time. [The question is again read to the witness, at his request, when he further answers,] I cannot be particular as to the time, or the year; but John Mott, a valuable minister of the state of New York, at some time previous to 1827, I think it was, attended the meeting at Arch street; I think it was Monthly Meeting day, from what I have understood, and some account he gave me himself, I think, of that meeting; he was treated in a very (as I thought) unbecoming manner. I think I understood, he had treated a good deal upon *love and unity*, which are very necessary things among Friends,) and during the sitting of the Monthly Meeting which took place, there was some hostility, rather of a personal character, manifested towards him, and to the subject of his communications, I think, by Thomas Wistar, and perhaps Jonathan Evans, who were there at that meeting, though not members of it; and also by Edward Bettle, who distinguished himself on that occasion; so much so, that it brought out Doctor Joseph Parrish in the expression of a very forcible remonstrance against their conduct. Joseph Parrish was a member of that meeting. When I spoke of hostility, I meant it to apply to his communication and services, and not to him as a man. There was a Friend attended the Yearly Meeting of Philadelphia, I think, in the spring of 1825, or 26, I cannot be sure which, but am inclined to think it was the latter; Nicholas Brown, from Upper Canada, and a member of New York Yearly Meeting, a minister I mean; he attended the meeting in Pine street, perhaps it was on First-day preceding the sittings of the Yearly Meeting; what the subject of his testimony was there, I don't know that I ever became acquainted with; but he told me himself, I think, that "if ever he had been favoured with a true sense of the state of a meeting, he thought he was in that meeting;" and I inferred from that, that he had been led to communicate some *close doctrine*.

I think on Second-day evening I walked the street with him, and we saw Jonathan Evans walking before, or perhaps standing. He was at Samuel Bettle's door at the time. He asked me who that man was, or what Friend? I told him it was Jonathan Evans. He said he had attacked him very severely; and made some charges against him, of preaching *doctrine* that—or at least of saying some things, that he had not said that day. I do not recollect the particular matters that Jonathan had charged him with, or I should relate them. But it was very evident that he felt himself very much hurt at Jonathan's conduct towards him; and I think Jonathan and him had an interview together, with several other Friends present, who were selected on the occasion, some time during the sittings of the Yearly Meeting, or at its close. As this is from hearsay, I cannot tell what took place; but I understood that he was not yet satisfied, and Jonathan denied some of the charges that he had first made against him.

During the sittings of the Yearly Meeting, he, Nicholas Brown, opened a prospect of visiting the women's meeting. There were some objections made to it, I think, by Jonathan Evans, and one or two more; and though a large number of Friends expressed their consent and ap-

probation, he did not incline to perform the visit, and said "he would let it rest upon them."

I don't know that I recollect any more instances of strangers.

It was very evident, for several years previous to 1827, that there was what might be called a *spirit of hostility* in some of the elders and some of the leading members of the city of Philadelphia, against some of our, I consider it, some of our most eminent ministers in our own Yearly Meeting; and more especially against those who did not, nor could not, approve of the proceedings of the elders, against Elias Hicks.

Q. Have you heard Samuel Bettle express his unity with Elias Hicks, since the accusations were first made against him by the elders and others?

A. Since the circumstance I first related, of Elias attending Pine street meeting, I have heard Samuel Bettle express his full unity with Elias Hicks. In the fall of 1820, Samuel Bettle, William Newbold, and myself, went out on a visit to the Indians, in the western part of the state of New York, and very frequently on that journey Samuel Bettle expressed his satisfaction with the acquaintance he had got with Elias Hicks, at the Yearly Meeting of Ohio, in 1819, the year before this took place. I think he told me, that he never had met with a man in his life that he had a higher esteem for, from the acquaintance that he had got with him, than he had for Elias Hicks. They had attended that Yearly Meeting together—had lodged at the same house, and I think in the same room—that they had frequent conversations together, which Samuel appeared to be pleased himself, I thought, in entertaining us with. He, Elias, was frequently the subject of conversation on that journey, and I think on every occasion Samuel expressed or manifested his full unity and satisfaction in being with him. I think that year, the Yearly Meeting of Ohio had the subject of revising their discipline before them. They attended their committees together, and I remember he expressed, that he thought Elias was much in his place, and very useful in that Yearly Meeting.

I think I recollect his stating, on one occasion, that himself and Elias did not altogether unite upon some matter that was agitated in the Yearly Meeting; but I heard of no dissatisfaction that he expressed, in any way, respecting the services or doctrines of Elias Hicks, at that Yearly Meeting.

On Elias's return from that Yearly Meeting, was the time he attended Pine street meeting, before spoken of; and after that meeting, he was at Samuel's house, and Samuel entertained him kindly, and treated him as a friend ought to treat another. And I think at one time he expressed to me, Samuel did, that he had no unity with the conduct of Pine street Monthly Meeting, in adjourning their meeting while Elias was in the women's end.

Q. Have you heard William Jackson express his unity with Elias Hicks, since the irregular proceedings of the elders in Philadelphia, towards Elias?

A. Yes, I have, in very full terms. About the close of the year 1823, or within a few days of that time, I was with Edward Hicks, on a visit to the meetings of Friends within the limits of the Western Quarterly Meeting, or at least to some of the meetings. We were at William Jackson's meeting, or the meeting he belonged to—went home with him, and dined; and in the course of conversation, he told us he wanted to

inquire of us about two Friends, that lived somewhere above Philadelphia, that had been down to the southern Quarter, at the time Elias Hicks attended there, and had spread some reports about him after their return. He said he had understood they were under dealing for their conduct. We told him they were then disowned by the Monthly Meeting to which they belonged, and had appealed to their Quarterly Meeting. Why, he said, with some surprise, that they had done very wrong—that they ought to have acknowledged their fault to the Monthly Meeting, for thus violating the good order of society. He then informed us, that when he had been last up at Philadelphia, I think attending the Yearly Meeting, he had heard a good deal of whispering about Elias Hicks; but he said he had known him a long time, I think more than forty years—he had married his wife on Long Island, and lived there many years, and he had always loved him, and always had unity with him. And when Elias Hicks was passing through their part of the country, on his way to Baltimore Yearly Meeting, in the fall of 1822, he had sent William and his wife word to meet him at London Grove Meeting, or a request for them to meet him there. They went to that meeting, and although, I think were his words, “I had always been satisfied with him before, I never was more so than I was at that meeting.” He came home with William, and stayed all night at his house. Elias pursued his journey to Baltimore Yearly Meeting, and I don’t learn that he had any opportunity with Elias, either by personal interview, or hearing him in public, from that time until I understood he had changed his sentiments respecting him, after attending the Yearly Meeting in Philadelphia the next spring, I think.

Q. Where is it understood by common repute, that William Jackson made his home in Philadelphia, during the Yearly Meeting that he underwent a change of sentiment, in respect to Elias Hicks?

A. I think he lodged at Samuel Bettle’s that year, if I am not mistaken. I won’t be positive about it; but I called in there, I think, several times, during the Yearly Meeting, with a view of seeing my kinsman William Jackson. (I think it was that year.) I remember, however, a Friend in my neighbourhood, where William Jackson frequently stopped and lodged on his way to the Yearly Meeting, I think mentioned that he had some conversation with William Jackson about Elias Hicks, previous to his going to the city; and perhaps he gave him some caution against being carried away by the reports, that were then in circulation, at which William seemed rather surprised that any body should think that he could think unfavourably of Elias Hicks. But on his (William’s) return from that Yearly Meeting, it was frequently reported that William had changed his views in regard to Elias Hicks. I had no conversation with him myself, on the subject, after the time I have mentioned at his own house, I think, that I can recollect.

Q. Were you appointed a representative from the southern Quarter, to the Meeting for Sufferings in 1826, and if so, state the circumstances?

At the close of the witnesses answer this afternoon, to the question put before noon, and which he was engaged in answering at noon, and before any other question was put to the witness, Mr. Sloan alleged that an urgent business required his absence for the remainder of the day and to-morrow; and the examination was continued by consent of the parties and counsel in his absence.

Adjourned until to-morrow morning at 9 o’clock.

Saturday morning, Dec. 11, 1830, at 9 o'clock. Examination of Halloway Jackson, continued.

[Witness in answer to the question proposed last evening, proceeds.]
 —I was so appointed, as appears by a minute of that Quarter, dated the 30th of Eighth-month, 1826. I received a copy of the minute from that Quarter, some time soon after, by which it appeared that Joseph Parrish, John Wilson Moore, and myself, were chosen by that Quarter to represent them in the Meeting for Sufferings. Abraham Lower's name was also contained in the minute, as continuing a representative of that Quarter. Under which appointment he had stood for several years previous to that time. Having each of us received a copy of this minute, we attended the Meeting for Sufferings, if my recollection serves me, in Ninth-month following the appointment. Our minutes, or at least one or two of them, which contained all the names, was laid on the clerk's table. Jonathan Evans, who was then clerk of the Meeting for Sufferings, read an opening minute, and I think called over the names of the members of that meeting as they stood on the list, I suppose. I think he then read one of the minutes we had laid on the table, and then he picked up a paper that lay on the table, apparently as though he did not know what it contained, but observed, that perhaps, it had some reference to the subject then before the meeting, and I think he, himself, or some other Friend, might have been nominated to go out and examine it previous to its being read. I think *four* Friends were named, who withdrew with the paper, and when they returned they proposed its being read. It was read accordingly, and appeared to be a letter from Caleb Peirce and Isaac Lloyd, who had stood previous to that for some time as representatives for the southern Quarter, in the Meeting for Sufferings. Hearing the paper but once read, I cannot undertake to state the particulars, but I think the amount of it was, a kind of remonstrance against the proceedings of the southern Quarter, in releasing them from their appointment as representatives from that Quarter. This unusual and I expect altogether unprecedented circumstance as it regarded a remonstrance of that kind, brought on a considerable discussion. There were a number of Friends who expressed considerable uneasiness, or alarm, at the liberty that the southern Quarter had taken in releasing those two representatives without their consent, or their requesting them so to do. I think there were several, if my recollection is right, Samuel Betts was one of the prominent ones, Thomas Stewardson, Thomas Wistar, perhaps Jonathan Evans and Joseph Whittall, and some others, whose names I cannot now remember, seemed to express considerable alarm, lest this precedent which the southern Quarter had set, should go to produce an unsettlement in that meeting, or revolution in the organization of it; something to that amount. Some of them tried to make it appear that the Meeting for Sufferings was a *permanent body*; that the representatives from the different Quarters, could not be changed without their own request, except in cases of delinquency, which is provided for in the discipline. There were a number of Friends on the other side of the question, more especially from the country meetings, that were in favour of receiving the representation from the southern Quarter, as then made by the minute that I have alluded to. There was then a proposition made to nominate a few Friends to take the matter under consideration and report to a future meeting, without any thing specifically pointed out. They were so named, I think, to the number of seven or

eight, perhaps more. We then made an attempt to withdraw, I mean the three that were new members, but we were requested to remain that sitting, and we did so.

I think in Twelfth-month again John Wilson Moore and myself attended the Meeting for Sufferings, which was the time to which the meeting had adjourned, as we considered ourselves legally authorized to have a seat in that meeting, in the order of discipline. After the opening minute was read by Jonathan Evans, and the names called over as usual, from the old list, the clerk got up and stated that there were two of the members who had produced minutes at the former meeting, present, and he thought it was improper for them to remain, until the matter was settled between that meeting and the southern Quarter, or something to that amount. After remonstrating against their conduct as unauthorized by discipline, and informing them that according to the trust that the southern Quarter had reposed in us, we should feel it our duty to give that Quarter official information of the subject, or the manner in which we had been received; and requested the Meeting for Sufferings so far to comply with the discipline as to state the case fairly on their minutes, in order that it might come before the Yearly Meeting in an official way. We then withdrew; and on conferring with Doctor Joseph Parrish, we all three united in forwarding a letter to the southern Quarter, with our names signed to it. It was, however, thought best, after understanding that the Meeting for Sufferings had appointed a committee to visit the southern Quarter on the subject, that some one of us should also attend that Quarter. It fell to my lot to do so, and I attended that Quarter in the latter end of Second-month following, then held at Little Creek. I there met with Samuel Bettle, Philip Price, and John Cooke, who appeared to be a part of the committee that were named to attend that Quarter by the Meeting for Sufferings. The letter that was written and signed by the other two and myself, was read by the clerk of the Quarterly Meeting, I think, after the usual business of the meeting was gone through. Samuel Bettle then produced a minute, purporting to be a minute from the Meeting for Sufferings: as I heard it but once read, and it is so long since, I cannot give the particulars of it, but I think it purported to be a kind of request that that Quarter should perhaps nominate some Friends to confer with them on the subject. The Quarterly Meeting, however, I think it may be said, that all, perhaps, nearly all those who are in the habit of speaking in meetings, came out unanimously against going into any measure to reconsider their proceedings in their appointment of representatives. They strenuously and manfully asserted their rights as a Quarterly Meeting, agreeably to discipline, to choose such members to represent them in the Meeting for Sufferings as they were satisfied with: and such, they said, they had chosen. The committee that were there used a great many arguments, which I cannot now undertake to recite particularly; but the amount of it was to induce that Quarter to go into a reconsideration of the subject, and to nominate a few Friends to confer with them, in order, as they said, that the thing might be amicably settled. I think Samuel Bettle displayed, in a very eminent manner, his wonted ingenuity and ability in his endeavours to convince the members of that Quarter that the Meeting for Sufferings was a *permanent body*, and not subject to be changed in that way, except in cases of delinquency, which I have already stated are provided for in the discipline. It was all, however, of

no avail, as to making any impression on the meeting, and the meeting unitedly agreed to make a statement on their minutes of the circumstances of the case, and forward it in their report to the Yearly Meeting in order to have their grievances redressed by that body. It was so forwarded to the Yearly Meeting in 1827, and was there put by, with some other important matters, without any determination in the case. I think this circumstance of the Meeting for Sufferings assuming the power to reject the representation of a Quarterly Meeting, produced as great a sensation throughout the society, as perhaps any other circumstance that occurred previous to the Yearly Meeting of 1827. Friends were beginning to be alarmed that the rights of Quarterly Meetings should be thus invaded by a body acting only as a committee of the Yearly Meeting, and having no such powers guaranteed to them by the discipline.

Q. By the constitution of the Meeting for Sufferings, had the Quarterly Meetings the right to change their representatives therein?

Witness. Is there a book of discipline here? [The Discipline Exhibit, No. 13, was handed the witness.] Shall I read from it?

Counsel. Yes, if there is any thing relating to it.

Witness reads from page 54:—"In order that this Yearly Meeting, with its several branches, might be properly represented in the intervals thereof, on emergent occasions, a meeting was instituted anno domini 1756, by the name of 'The Meeting for Sufferings,' which it was agreed should consist of twelve Friends, appointed by the Yearly Meeting, living in or near Philadelphia, for the convenience of getting soon together; and also of four Friends, chosen out of each of the Quarterly Meetings, who were directed to meet together in Philadelphia forthwith, for the regulation of its future meetings, which are subject to the following rules." One of which is, (page 55.) "In case of the decease of any Friend or Friends, nominated either by the Yearly Meeting or Quarterly Meetings, or of their declining, or neglecting, their attendance for the space of twelve months, the Meeting for Sufferings, if it be thought expedient, may choose others in his or their stead, to serve till the time of the next Yearly Meeting, or till the places of those who have represented the Quarterly Meetings shall be supplied by new appointments." From which I infer, that the Quarters have a full right to choose their own members; and in the very nature and constitution of things, the body that has a right to choose has also a right to remove at their pleasure. By a minute of the Yearly Meeting, which appears to be dated in Ninth-month, 1761—[The witness produced an ancient manuscript, and was proceeding to speak or read from it, when, at the suggestion of Joseph Hendrickson, in the absence of his counsel, it was admitted by the counsel of the complainant, and Stacy Decow, that no advantage should be taken of the absence of the opposing counsel, in reference to reading, or offering in evidence, the paper in question; and that any proper objection to the same, if any shall be made, shall be considered as made at this time, and in its proper place.]

The witness proceeds,—I will give what knowledge I have of the authenticity of this paper. I think I first saw it, this paper that I hold in my hands, in Joseph Turner's house, who is a member of the southern Quarterly Meeting, and who informed me—[Mr. Price interrupts the witness, and requests him to speak of his knowledge of the handwriting, or of the usages of the society in reference to the authenticity of such a paper.] It appears to be "Extracts from the Minutes of the Yearly

Meeting for Pennsylvania and New Jersey, held at Philadelphia by adjournments from the 26th of Ninth-month, 1761, to the 30th of the same inclusive;" of course ten years before I was born: but from my earliest recollection of attending meetings for discipline, it was the usual practice for extracts to come down from the Yearly Meeting, (or to be sent down, more properly,) to the Quarterly and Monthly Meetings, in the same manner as this appears to have done. It is signed by "James Pemberton" as "clerk to the meeting this year;" "copy examined by George Churchman," whose handwriting it appears to be in. George Churchman was a Friend well known to me, and whose handwriting I was well acquainted with, having at divers times received letters from him; and I think I feel no hesitation in saying I believe this to be his handwriting.

Q. From George Churchman's standing and services in the society, have you reason to believe that he was authorized as assistant clerk, or in some other capacity, to copy and send that instrument as it is directed on behalf of the Yearly Meeting?

A. I have no other knowledge of the facts than that I know him to have been a very active and worthy member of society: and I think, if I recollect, when I was young, he was clerk of the Quarterly Meeting, perhaps, of which I was a member. There seems to be an impression on my mind, of hearing of his being either clerk or assistant clerk of the Yearly Meeting at some period of his life; and I think, from his well known standing in society, and from his qualifications for such a service, it is altogether probable that he was assistant clerk at the time this record was made.

The counsel now offered the paper in evidence, (subject to any objection which may hereafter be made, if it be not sufficiently proven,) and it is marked by me Exhibit D, on the part of the complainant and Stacy Decow.

The witness proceeds:—I will now read one paragraph from these extracts in relation to the Meeting for Sufferings:—(reads;) "The minutes of the Meeting for Sufferings for the year past, being laid before this meeting, were by direction read over, and Friends expressed their satisfaction with the proceedings thereof, and agreed to continue the said meeting, in the same manner it is now constituted; reserving to each Quarterly Meeting their privilege of *changing their representatives when they may think proper.*" I may further state, that I have attended Yearly Meetings, I think, for thirty years past, and some few previous to that time. For a long time, when the minutes of the Meeting for Sufferings were read in the Yearly Meeting, after the remarks that might be made with regard to the proceedings of that meeting, there was generally a minute made expressive of such remarks, and the meeting continued to the services that were delegated to it by the Yearly Meeting: and I do not remember any change being made with regard to the authority of its constitution, or any sentiment ever offered to convey an idea that it was a permanent body, until the time I have before mentioned, when the representatives from the southern Quarter were rejected a seat in that meeting.

I will add a little further:—I don't recollect any particular dissatisfaction being expressed in the Yearly Meeting with regard to the proceedings of the Meeting for Sufferings, until the year 1823, when some

its were produced on their minutes, purporting to be taken from

the writings of ancient Friends; though references, I think, were not generally made to the authors and places from whence they were taken. This circumstance produced a very considerable excitement in the Yearly Meeting; not so much, I believe, at least it is my apprehension, as it regarded the *matter* contained in those extracts, as from the apprehensions of the design for which they were intended to be used: as might be inferred from the commotions that had already taken place within the Yearly Meeting, principally occasioned by the combination of elders in Philadelphia, which has been before spoken of.

Q. Did you attend the select Yearly Meeting immediately preceding the general Yearly Meeting of 1827?—and if so, state what unusual circumstances took place therein, evidencing a division in the society.

A. I did attend that meeting. There was a considerable difficulty took place in that meeting, which caused a great division of sentiments, and which appeared to be occasioned by something that was brought up in one of the reports, or rather from the report from the Quarterly Meeting of ministers and elders held in Philadelphia. And, perhaps, to trace the origin of that report, I may begin at the Quarterly Meeting of ministers and elders held in Philadelphia preceding the Yearly Meeting of that year. I think I was then in attendance. It is the practice in those Quarterly Meetings of ministers and elders, to receive reports from each of the Preparative Meetings of ministers and elders that constitute that Quarter. I think, if I recollect, that Quarter was composed of seven or eight Preparative Meetings of this kind, some from the country. They were generally as full and clear, (the reports from the Preparative Meetings I speak of,) with regard to the state and soundness of the ministry, which one of the queries requires an answer to, as is usual on such occasions, except the one from Pine street Preparative Meeting of ministers and elders, which conveyed something of a very singular character; for although, if I recollect, there was no complaint made with regard to their own ministers, yet it stated, I think, in substance, “that there were some who came amongst them that promulgated doctrines that went to destroy the foundation of the christian religion;” or something to that import, as near as I can recollect: I do not pretend to give the words. This was laid hold of by the Quarterly Meeting of ministers and elders, and incorporated in their report to the Yearly Meeting; although the other Preparative Meetings, I think, conveyed nothing in their reports that would warrant such a general report. When the reports were read in the Yearly Meeting to which we are now alluding, (the meeting of ministers and elders,) all the other Quarterly Meetings composing that meeting had sent up their reports, very much in the usual way, without any particular exceptions, as it regarded the state of the ministry, except this report from Philadelphia Quarter.

There were some English Friends there, Elizabeth Robson, and Ann Jones, and George Jones, the husband of Ann. I think one of these English women, perhaps Elizabeth Robson, I am not certain which spoke first, made some remarks on the nature of the report from Philadelphia Quarter, and stated, that if all the other Quarters had been as honest as that Quarter, they would have given very different reports from what they had done, in relation to the *soundness* of the *ministry*. I wish to be understood, as giving what I believe to be only the substance of those communications, it is impossible to give the exact language. She was supported in those views by the other English Friends

that were present, which appeared to me to be calling in question the official documents that had come up from the different Quarterly Meetings of ministers and elders, and were regularly signed by their clerks, so far as I now recollect. The views that were expressed by the English Friends appeared to be coincided with by a number, I think principally by some of the active members of the Quarterly Meeting of Philadelphia, and perhaps a few from the country. A proposition was made by William Jackson, that perhaps it might be right or best, to appoint a committee to inspect into the state of things that had produced that report, and as I first understood him, I thought his views were confined to Philadelphia Quarter, from whence the complaint came. There was some opposition made to it, and it seems to me as if I made some remark myself, that if the committee was confined to that Quarter in their visit, I had no objection to such a committee; at least that was my impression at the time. It was soon however strongly urged, that the state of society required that the visit should be made general, to the subordinate meetings throughout the Yearly Meeting. This, however, was strongly opposed by a number of individuals, principally perhaps from the country; but, I think, a few in the Quarterly Meeting of Philadelphia. It was, however, strenuously urged by a considerable number of the active and leading members of the Philadelphia Quarter, and some from the country, that such a committee should be appointed; and Jonathan Evans being clerk at the table, made a minute to that effect. And notwithstanding the opposition to the measure was still going on, he took down the names of the following Friends, viz: Samuel Bettle, William Jackson, Jonathan Evans, Thomas Wistar, Hinchman Haines, William Newbold, Joseph Whitall, William Allinson, Sarah Cresson, Jane Bettle, Hannah Whitall, Elizabeth Reeve, Mary Wistar, Elizabeth Allinson, and Mary Morton, which appears from a minute of that meeting, in Jonathan Evans's own handwriting, I take it, signed by himself as clerk. [The witness having the paper in his hand, from which he read the names aforesaid.] And by which it appears also, a considerable portion of this committee are taken out of Philadelphia—two men and their wives, residing in the city; Joseph Whitall, and his wife; one man, and his sister, and the whole fourteen altogether of that party, which has been denominated Orthodox. It being evidently of such a party character, and its design being well understood, Friends could take no part in the nomination by acknowledging such a committee, being appointed in the manner it was. This circumstance produced a very sensible effect upon the minds of a large portion of the members of that meeting, and from the evident appearance of the measures that appeared to be in operation by that dominant party, they were led to consider what steps would be best to take in the tried and conflicting state of society. This meeting being held on the seventh day of the week, it adjourned to meet again, I think, on the next Fourth-day morning, if I remember right. The circumstance of the appointment of this committee, so much out of the unity, and evidently for a party purpose, had such an effect on the mind of John Comly, one of our worthiest members and a minister, that after the opening of the meeting held on Fourth-day morning, he made a solemn appeal to that assembly, to reconsider the subject of the appointment of that committee, in order, if possible, to preserve the harmony of society. There were some very quick, two or three made some angry remarks; I don't want to mention their names, that the subject

should again be brought up before that meeting. John Cox, however, who was assistant clerk, and sat by the table, and had always been known to be a man of moderation, and disposed for reconciliation, got up and stated, that the proposition had been made, he thought, in a solemn manner, and, he thought, at least, it required the consideration of that meeting. There was then a great deal of expression by each party, I think, or on each side, but it resulted in the same way as it had done on Seventh-day, that is, in the continuance of that committee; although it was evident, that there was no more unity in the measure, if so much, as there was at the former meeting.

Q. In the general Yearly Meeting of Fourth-month, 1827, were the proceedings conducted in the usual harmony and order of society?

A. No—they were very far from it. I think the first sitting of the Yearly Meeting got along much in the usual way; on Second-day forenoon, in which the time is usually occupied in calling over the representatives from the respective Quarterly Meetings; in reading the certificates of strangers who may be there from other Yearly Meetings; in reading the epistles that are received from other Yearly Meetings, generally; and in appointing a committee to reply to those epistles; and sometimes, perhaps, appointing a committee to settle the treasurer's account—how it was that year, as to this last particular, I can't say. At the close of the first sitting, the representatives were requested or enjoined to remain together, “to confer on the subject, and report to the meeting the name of a person to serve it as clerk, and one to assist him for the present year.” The meeting then adjourned, perhaps to the fourth hour, which is the usual hour. I don't recollect that it was sooner that year. A large portion of the members had collected at the hour of adjournment—it was found that the representatives were still occupying the house. I did not arrive in the yard, I think, until the house was opened. I met one of the representatives just outside of the yard, walking very fast, and said he must go somewhere and get his dinner.

As soon as the meeting convened and got in some degree of settlement, the clerk, Samuel Bettle, read an opening minute, as usual. John Cox then rose and stated to the meeting, I think, as near as I can recollect in substance, that he had been instructed to report, that the representatives could not agree in the choice of a clerk, or to report any name, whether he said clerk or clerks, I cannot say, or whether both the clerk and assistant were included. There was some person spoke, but I cannot undertake to say who, that seemed to doubt the authority of John Cox to make such report, from any instructions from the body of representatives; and a scene of confusion ensued, which I am not able to describe. It appeared to me, to be for some time confined to the representatives, from what I could discover; and from whose sentiments I soon discovered that there had been great confusion amongst them. After debating the matter a good while, there was some, perhaps different, propositions made, some for referring it again to the representatives, I think, but I discovered from the sentiments of a few individuals of one party, that they did not wish it again referred to them: perhaps I had better designate the party, I mean those termed Orthodox; (and who appeared to be satisfied with the term.) After this state of things had continued for some time, William Jackson got up, and stated to the meeting, that he had been in the habit of attending Yearly Meetings, perhaps he said, for sixty years, or near it, and it had always been the practice to

continue the old clerk until a new one could be appointed, or perhaps until the representatives could agree in the choice of one. I don't pretend to give his words.

Adjourned to meet on Monday next, at two o'clock, in the afternoon.

Monday, December 13th, 1830, at two o'clock. The parties and counsel in attendance. Mr. Price for complainant and Stacy Decow; Mr. Brown, for Joseph Hendrickson.

Examination of Halliday Jackson continued.

[The witness proceeds in his answer.]—I don't pretend to remember the order exactly, in which these circumstances took place, and may possibly recite some circumstances not exactly as they did take place, as to the point of time. I shall endeavour to state the facts as they occur to my recollection. I think after William Jackson made that proposition, there were a number of persons who it appeared were in favour of having Samuel Bettle as clerk, that coincided with William's proposition. There were, however, a much larger number, according to my apprehension and observation, that were opposed to him, and wished the representatives to have an opportunity of getting together again; perhaps such a proposition was made. There was, however, opposition to that, and I think a good deal of it by that part of the representatives who were in favour of Samuel Bettle acting as clerk. I don't recollect that I had said any thing myself on the subject, till after that. I felt entirely calm, and without feeling, I think, any excitement. I then made a proposition as near as I now can recollect; that the two clerks, Samuel Bettle, and John Comly, assistant clerk, should be permitted to proceed with the business that afternoon; and afford an opportunity for the representatives to get together that evening, and reconsider the subject: and may be, I am not certain, but there seems to be an impression on my mind, that I went so far as to say, that if they could do no better, they must decide the matter by a majority. This proposition, however, was strenuously opposed by the same persons, who had united with William Jackson's proposition, or at least who appeared to be on that side of the question. I think I remember particularly, Thomas Wistar, and Thomas Stewardson, who apparently, very warmly expressed their disapprobation of my proposition. And perhaps there was something said about weight, the weighty part of society, and of solid Friends, which were terms frequently made use of by our Orthodox brethren. There was a great deal said on both sides of the question, which it was impossible for any to relate, unless they had notes taken at the time, which I had not: and I have no doubt at all, but that there was a good deal of warmth on both sides. There was, however, apparently a very large majority of the meeting expressed their disapprobation to Samuel Bettle serving the meeting as clerk. When I speak of majority, I mean of those that spoke on the subject. But those of his advocates in the business strongly urged it, and he being at the table, made a minute appointing himself as clerk, and I think John Comly to assist him for the present year. Great dissatisfaction was afterwards expressed, I think; and some Friend or Friends, I think, living in Philadelphia, undertook to give some reasons why he was not a proper person to serve the meeting that year. It was well known that Philadelphia Quarterly Meeting had for several years, perhaps two or three, previous to that time, been in a very unsettled state, almost approaching to anarchy; that they had had this case of Leo-

nard Snowden before them, which has been fully represented by Abraham Lower in the previous testimony, that that Quarter had forwarded this case, I think, on their reports to the Yearly Meeting; that Samuel Bettle had been a warm party man in the case; and then stood, I think, as one of the committee of that Quarter, to represent the case to the Yearly Meeting, or to a committee of the Yearly Meeting, if such should be appointed. There was also another case, I think, of considerable importance to society, that was coming up, or came up in the report from that Quarter; I think from what I can understand from the nature of the case, that the party which had for some time very much governed the proceedings in that Quarter, had found out the discipline respecting appeals, did not altogether answer their purpose; they had taken up some of their members in the city, a few of them, on what was considered very flimsy charges, and had procured their disownment from the Monthly Meeting. They had appealed to the Quarterly Meeting, and having the right guaranteed by the discipline of objecting to such as might be appointed on a committee to determine their case, as they thought might not be disposed to give them a fair trial; and exercising this right, they were reinstated by the Quarterly Meeting, and restored again to membership. This subject, therefore, of appeals, was got up in Philadelphia Quarter, and carried forward to the Yearly Meeting, from what I have understood, very much out of the unity, and principally by that portion of society which were called Orthodox. There were strong reasons to object to Samuel Bettle as acting as the organ of the meeting that year. I don't wish to be understood that all this was stated in the Yearly Meeting; but being acquainted with the circumstances from common report myself, as I said before, I think an attempt was made by some Friend or Friends, perhaps more than one, to give some explanations on these points. I think I remember one Friend, who, in attempting to offer reasons of this kind, was peremptorily ordered down; and Thomas Kite I believe it was, a member, and in the station of a minister, at Arch street meeting, called upon the overseers to take notice of him. There were several others that spoke, I don't undertake to name. I think I remember John Cox, though a man generally of great moderation and exemplary conduct, was so far taken off his guard, under the excitement that prevailed in the meeting, that he made use of some harsh expressions to this Friend that was speaking, for which, greatly to his credit, I think he made some apology in the next sitting, the next morning. The meeting proceeded on that afternoon—I don't remember particularly what took place. I think I recollect that John Comly went to the table as assistant clerk, with very considerable reluctance, and acted that afternoon. The next morning, I believe, John Comly did not take his seat at the table at the opening of the meeting, as usual; but soon after the meeting was opened, he got up and made a very forcible appeal to the Yearly Meeting, which I should be very happy to be able to place upon this record; but my recollection will not serve me at present to give more than an outline of it. I think he regretted the state and dilemma into which the Yearly Meeting appeared to be brought—that there were two parties, evidently two parties, that appeared to be irreconcilable to each other, and therefore not qualified to proceed in the weighty concerns of a Yearly Meeting, under those trying circumstances; and proposed that the Yearly Meeting might adjourn; and

Friends endeavour to get cool and quiet in their minds, and that possibly they might be favoured to come together at some other time, and be more in the harmony. I think he expressed, that he could scarcely feel easy to act as the organ of the meeting, at the table, as assistant clerk, under those circumstances. There were a number of other Friends that seemed to unite with the views of John Comly, as perhaps the best thing that could be done in this trying and afflicting state of things. I think Abraham Lower spoke on the subject, and attempted to give some account of the party measure that had been taken in the Yearly Meeting of ministers and elders, in the appointment of that committee that I have before spoken of, and for which he was severely rebuked by some of the opposite party. Joseph Foulke, I think, had something to say on the subject. Dr. Joseph Parrish also made a very impressive appeal to the Yearly Meeting, respecting the trials and difficulties that seemed to be prevalent; and perhaps there were some others—I don't now recollect to name. The proposition, however, of John Comly, to adjourn the meeting, was strenuously opposed by those who were favourable to Samuel Bettle acting as clerk, and they seemed determined to proceed on with the business, which they did. And although John Comly had expressed his uneasiness at acting as assistant clerk, at the request of some of his friends, and perhaps some of the other party also—I am not sure about that—he submitted again to go to the table, although it was objected to by many of his friends, and perhaps a considerable number; but I don't seem to have a clear recollection about that.

The business of the Yearly Meeting was proceeded in, and the usual subjects that occupy that body, such as considering the state of society, from the answers to the queries that are brought up from the different Quarterly Meetings in their reports—the reading of the minutes of the Meeting for Sufferings—reading reports from the committee who stood charged with the civilization of the Indians—and the report from the committee of Westown school—and some other matters which occupied the meeting through the week, which it is not necessary to mention—I can't recollect all. But when the reports were taken, or the subjects contained in the reports from the different Quarterly Meetings, which were considered as new matter, such as the account from the southern Quarter, respecting the Meeting for Sufferings rejecting their representatives—and an application, I think, from Bucks Quarter, respecting the manner of choosing representatives to constitute the Meeting for Sufferings; together with these two cases that came up from Philadelphia Quarter, which I have before mentioned. They were all put by, and not acted upon, except the matter in relation to Leonard Snowdon's case, which, if I remember right, was returned to the Quarterly Meeting.

It seemed to be pretty generally understood, that the Yearly Meeting was not in a qualified state, owing to the interruptions to the harmony that had taken place, to enter upon the investigation, or more properly, the consideration of these subjects. I recollect, however, that some of the members of the southern Quarter appeared to be dissatisfied, that they were not likely to receive any redress of grievances, as they apprehended—and Joseph Turner, I think, undertook to give some explanation of the matter that had come up on their reports, but he was inter-

rupted, and desired to stop: the impression on my mind is, by Samuel Bettle himself. I am not, however, certain about it.

There was one matter before the Yearly Meeting which was of a humane and benevolent character, that Friends, perhaps of both parties, were pretty much united in. That was, to raise a sum of money to assist Friends in North Carolina, perhaps, in procuring the freedom, or getting some of the oppressed Africans transported to places where they were likely to be better taken care of. At the last sitting of the Yearly Meeting, although many trying circumstances had occurred through the week, there was a proposal then made, which perhaps was the most so of any that had occurred, except it might be the appointment of the clerk, and the manner in which it took place.

A proposition was brought from the women's meeting, I think stated by them, to have been opened by Ann Jones, an English minister then among them, to appoint a committee to visit the Quarterly and Monthly Meetings, constituting the Yearly Meeting; and proposing to men-Friends, that they should consider the subject of appointing a committee to unite with them. This called forth a great deal of excitement, as was naturally to be expected, in the state in which society was then, and from the party measures that seemed to have been pursued, both in that meeting, and in the meeting of ministers and elders; and great opposition was made to it. Even some few of the Orthodox party themselves, at first, did not appear to approve it. But there were others of that party, that strenuously urged the propriety of such a committee being appointed; and as they seemed to understand one another pretty well, apparently, they pretty soon united in urging the measure. It was, however, strongly opposed by much the larger part of the meeting; I cannot undertake to state the proportions, but I should think myself safe in saying two-thirds of it, of those that spoke. But it seemed all of no avail,—there seemed to be a determination in the few, to govern the many, and, to make use of the words of Abraham Lower, “either to rule or to rend the society,”—and having a clerk at the table, subject entirely to the dictates of his own party; he made a minute, and took down the names of the committee that were offered to him; whose names I have not a list of, but as far as my recollection serves, I think, Jonathan Evans, Samuel Bettle, Thomas Wistar, Thomas Stewardson, (perhaps,) Joseph Whittall, Benjamin Cooper, Hinchman Haines, Christopher Healy, (I think,) and several others, amounting to more than a dozen, I believe, in all; and all of them of those called the Orthodox party, and a considerable number of them, the same that were appointed in the meeting of ministers and elders on a similar committee. No *Friend*, I believe, undertook to mention a name, as it was evidently a strong party measure, that the great body of the Yearly Meeting had no unity with. I believe this was the last, or nearly the last act of the meeting that year. Friends were exceedingly tried,—a great portion of the Yearly Meeting: but they had no hope left for redress from that body, under its then existing circumstances. The clerk made a minute adjourning the meeting as usual, to meet again the next year; “if the Lord permit,” was, perhaps, about the conclusion of it.

Q. Did the party that assumed to rule in that Yearly Meeting, then and before violate the usage of the society to come to its conclusions in the unanimity?

A. I think they had done so in a great variety of instances. The ques-

sides the family we were then in. He then opened his views to us in a very solemn manner, respecting the distressing state of society, and wished Friends that were present to consider the subject. He stated that he did not wish his views at all to be kept secret. Friends that were then together, expressed much tender feeling and sympathy, being fully sensible of the tried and distressed state the society was then in. But there was still a looking towards the approaching Yearly Meeting, with a hope that there would be some redress; and that when Friends from the country collected in a Yearly Meeting capacity, they might be able to put some check upon the disorders that were prevailing, which had been principally occasioned by the dominant party that were principally confined to Philadelphia, and had assumed the right to govern the proceedings of the society. I think John Comly expressed, if I remember right, that he had attended the Quarterly Meeting in Philadelphia about that time, or previous to that time, and perhaps some other meetings; and he thought it was a vain hope. I believe there was no other conference that I have knowledge of, (and that could scarcely be called a conference, as there were but a few Friends together,) until Fourth-day evening, during the week of the Yearly Meeting. There were then a number of Friends got together in a private house, perhaps fifteen or twenty, I cannot state the number precisely, and entered into a consideration of the afflicting state that the Yearly Meeting was then in, and of the society generally composing it. The circumstances, or many of them that I have heretofore related, as tending to produce division in society, together with the scenes that had taken place during that Yearly Meeting; the appointing a committee in the Yearly Meeting of ministers and elders, out of the unity and harmony of the body; the manner in which the clerk was imposed upon the Yearly Meeting by much the lesser number of the body, contrary to all former precedent. These circumstances that had already transpired previous to Fourth-day evening, evidently showed that the unity of the body was broken. The bond of religious union was, as it were, rent asunder, and that by a minority in the society presuming to rule over a great majority. The next consideration in that conference was, what steps in the wisdom of truth would be best to take to save the society from ruin, and restore peace and harmony among the body of its members. It was then proposed to nominate a few Friends to prepare an address, and to have a more general conference, I think on Fifth-day evening. The invitations were spread more generally among Friends, and they collected at Green street meeting house, I may not be mistaken, when I say from two to three hundred, perhaps; it was a large number. It was a very solemn and an awful time; and Friends seemed very desirous to be under the guidance and direction of the great head of the church, in all their movements, and a great solemnity prevailed.

After several very weighty communications on the nature of the business that Friends had met about, the address that was prepared was read and considered, and very much united with. The evening being spent, they adjourned until the next evening, to meet again, further to deliberate on the subject. There was an increased number, I think, that evening; and they adjourned, to meet again at the rise of the Yearly Meeting, on Seventh-day morning. It was then expected that the Yearly Meeting would conclude with a short sitting.

That last act of the Yearly Meeting in appointing the committee I

man must be convinced, who has read their publications of that nature. Perhaps the first of these official documents was issued by the Meeting for Sufferings, soon after the Yearly Meeting, or at least in the course of that summer of 1827. I have not read it lately—I don't know that I have these two years—but I was satisfied then that it contained charges that were altogether unfounded, and a great deal of misrepresentation of our motives and views, or the motives and views of Friends, I should say. Their next official document I recollect of that kind, [I ought to have said, that that document from the Meeting for Sufferings was signed by Jonathan Evans as clerk, to make it official,] as I before said, their next document of that kind was issued by their Yearly Meeting in the spring of 1828, and signed by Samuel Bettle as clerk, which also contained charges that I have considered entirely unfounded, and calculated to destroy the religious standing of that part of the society of Friends, to whom it seemed to be applied as a christian people. I think I recollect seeing some account, either in an epistle, or some document that came from the Yearly Meeting of London, that the Meeting for Sufferings in London had received a letter, I think from the Meeting for Sufferings in Philadelphia, giving also a very injurious account of that part of the Society of Friends, who now compose the great body of the Yearly Meeting of Pennsylvania, and its adjacent parts.

Adjourned until to-morrow morning, at 10 o'clock.

Tuesday morning, December 14, 1830, at 10 o'clock. Examination of Halliday Jackson continued. Present the same as yesterday.

Question by Mr. Price. Did the great body of Friends, in consequence of the violation of the harmony and principles of the society, by a party, proceed to hold the Yearly Meeting, independently of that party?

A. They did so proceed. The various disorders that I have before stated, and violations of the order and discipline of the society, previous to the Yearly Meeting of 1827, had produced in the minds of many Friends a strong impression that the conflicting parties could not much longer harmonize together in a Yearly Meeting capacity. It had been generally understood, that some of the leaders of those called the Orthodox party, had made declarations that there must be a separation. For instance, Thomas Wistar in the Quarterly Meeting of Philadelphia, as stated by Abraham Lower, had made this public declaration. John Comly, whose mind was very deeply affected with the scenes and disorders that had occurred previous to that time, seemed to be impressed with the belief, that society could scarcely be saved from ruin, in any other way than by dividing from this dominant party, who plainly showed by their conduct, that they were determined to rule, and to have the government of the church. John Comly, therefore, in some interviews with some of his friends, previous to that Yearly Meeting held in 1827, had opened a prospect of this kind. Although he has been charged by our Orthodox friends, in some of their perhaps anonymous pamphlets, of travelling about, and holding, I think, *forty caucus meetings*, I think, as they called them, of that kind. I have heard him say myself, that he never had more than four or five that could be called any thing like *conferences* on the subject; and those when he met with a few Friends together, while he was travelling on other concerns. In one of those, and one only, I was present, and perhaps six or eight other Friends, be-

sides the family we were then in. He then opened his views to us in a very solemn manner, respecting the distressing state of society, and wished Friends that were present to consider the subject. He stated that he did not wish his views at all to be kept secret. Friends that were then together, expressed much tender feeling and sympathy, being fully sensible of the tried and distressed state the society was then in. But there was still a looking towards the approaching Yearly Meeting, with a hope that there would be some redress; and that when Friends from the country collected in a Yearly Meeting capacity, they might be able to put some check upon the disorders that were prevailing, which had been principally occasioned by the dominant party that were principally confined to Philadelphia, and had assumed the right to govern the proceedings of the society. I think John Comly expressed, if I remember right, that he had attended the Quarterly Meeting in Philadelphia about that time, or previous to that time, and perhaps some other meetings; and he thought it was a vain hope. I believe there was no other conference that I have knowledge of, (and that could scarcely be called a conference, as there were but a few Friends together,) until Fourth-day evening, during the week of the Yearly Meeting. There were then a number of Friends got together in a private house, perhaps fifteen or twenty, I cannot state the number precisely, and entered into a consideration of the afflicting state that the Yearly Meeting was then in, and of the society generally composing it. The circumstances, or many of them that I have heretofore related, as tending to produce division in society, together with the scenes that had taken place during that Yearly Meeting; the appointing a committee in the Yearly Meeting of ministers and elders, out of the unity and harmony of the body; the manner in which the clerk was imposed upon the Yearly Meeting by much the lesser number of the body, contrary to all former precedent. These circumstances that had already transpired previous to Fourth-day evening, evidently showed that the unity of the body was broken. The bond of religious union was, as it were, rent asunder, and that by a minority in the society presuming to rule over a great majority. The next consideration in that conference was, what steps in the wisdom of truth would be best to take to save the society from ruin, and restore peace and harmony among the body of its members. It was then proposed to nominate a few Friends to prepare an address, and to have a more general conference, I think on Fifth-day evening. The invitations were spread more generally among Friends, and they collected at Green street meeting house, I may not be mistaken, when I say from two to three hundred, perhaps; it was a large number. It was a very solemn and an awful time; and Friends seemed very desirous to be under the guidance and direction of the great head of the church, in all their movements, and a great solemnity prevailed.

After several very weighty communications on the nature of the business that Friends had met about, the address that was prepared was read and considered, and very much united with. The evening being spent, they adjourned until the next evening, to meet again, further to deliberate on the subject. There was an increased number, I think, that evening; and they adjourned, to meet again at the rise of the Yearly Meeting, on Seventh-day morning. It was then expected that the Yearly Meeting would conclude with a short sitting.

That last act of the Yearly Meeting in appointing the committee I

have spoken of, evidently for a party purpose, and altogether of the party, had now taken place. Immediately after the rise of the Yearly Meeting, a large number of Friends repaired to Green street meeting house, when the address before spoken of was again read, and perhaps with some small alterations, finally resulted, and, I think, unanimously adopted, and agreed to be signed by some eight or ten Friends, who were named for that purpose. I will now make an exhibit of that address together with all the epistles and extracts of an official nature that have been issued by that body of Friends that compose the Yearly Meeting of Pennsylvania, etc. held in Philadelphia. [The witness produces some printed sheets, folded and stitched in pamphlet form.]

Q. Were you present when the address, the epistles, and extracts which you now make exhibits of, were adopted by the conferences and Yearly Meetings by which they purport to have been issued, and were they adopted by those bodies?

A. I believe, as I was present at all of the meetings, as far as I recollect, that adopted and issued the address, and those extracts and epistles and as far as my recollection serves, I think they were unanimously adopted. Some of them were read in the women's Yearly Meeting, and have the signatures of their clerks.

The counsel then offered in evidence pamphlets with the following titles, and which are sewed together, viz: "An Address to Friends within the compass of the Yearly Meeting held in Philadelphia;" ten pages. "An Epistle to Friends of the Quarterly and Monthly Meetings within the compass of the Yearly Meeting held in Philadelphia;" twelve pages. "Extracts from the Minutes of the Yearly Meeting of Friends held in Philadelphia;" ten pages. "An Epistle from the Yearly Meeting of Friends held in Philadelphia;" ten pages. "Extracts from the Minutes of the Yearly Meeting of Friends held in Philadelphia;" seven pages. "An Epistle from the Yearly Meeting of Friends held in Philadelphia;" six pages. "Extracts from the Minutes of the Yearly Meeting of Friends held in Philadelphia;" twelve pages. "An Epistle from the Yearly Meeting of Friends held in Philadelphia;" eleven pages. "Extracts from the Minutes of the Yearly Meeting of Friends held in Philadelphia, by adjournments from the 12th of Fourth-month, to the 17th of the same, inclusive, 1830;" twelve pages: which were several marked by me as exhibits on the part of the complainant, and Stated Decree. E. F. G. H. I. J. K. L. and M.

Q. Has it been the usage of the Yearly Meeting to issue epistles, and extracts from the minutes, in the manner pursued by the Yearly Meeting in respect to the exhibits you have made?

A. I believe it has been the uniform practice of the Yearly Meeting so long as I have been acquainted with them, to send down extracts from the Quarterly and Monthly Meetings; and frequently those extracts contained some advices and counsel to the subordinate meetings: and I have known some few instances, when epistles have been issued by the Yearly Meeting, I think, in a separate capacity from those extracts, when it was believed the state of society required it, or when a concern of that kind originated in, and was approved by, the Yearly Meeting.

Q. Do you recollect the matter of those exhibits having engaged the attention of the meetings which issued them, and their adopting it substantially as it is set forth in those exhibits?

A. As it regards the subject that may be mentioned

these extracts and epistles, how it was treated on in the Yearly Meetings and bodies from which they were issued, I cannot have any distinct recollection now, but I am very well satisfied they were very unanimously agreed to, and adopted by those bodies that issued them. I was going on to state, in regard to this "Address" which comes first, that it is directed to Friends within the compass of the Yearly Meeting held in Philadelphia, indiscriminately, without any allusion to any party; that is, the address of it. I think ten thousand copies were ordered to be printed. It was very generally spread throughout society, I believe, within the compass of the Yearly Meeting; and I have reason to believe that it was officially taken notice of in *some* of the Monthly Meetings; perhaps, I might say, *many*: and in consequence of the invitation that was held out in it, for another conference to be held at Green street, in Sixth-month following, a large number of Friends attended at that time: I cannot say as to numbers exactly, but my impression is, that there must have been six or seven hundred convened, men Friends altogether. When the subject relating to the tried situation which society was in was more fully considered, it was a very solemn and interesting opportunity, and Friends that were then assembled were fully persuaded in their own minds that it was under the direction of best wisdom to endeavour to reorganize the Yearly Meeting, and to hold it on the ancient principles of those under our name. In consequence of this conclusion, an epistle was issued "to Friends of the Quarterly and Monthly Meetings within the compass of the Yearly Meeting held in Philadelphia;" in which, I think, was proposed the holding of a Yearly Meeting in Tenth-month following. This epistle was of course printed, and spread generally among the members of the society; and I think it was adopted by the Quarterly Meetings of Bucks, Abington, Concord, western and the southern Quarter, held previous to Tenth-month, all of whom appointed representatives to attend the Yearly Meeting held in Tenth-month. There were also representatives, I think, sent from two or three of the *Monthly* Meetings, and some of the other *Quarters*, and it was also attended, I believe, by a very considerable number of Friends out of some of the other Quarters, who had not appointed representatives. In consequence of an apprehension, from what had been discovered in the conduct of those called the Orthodox party, Friends would not be likely to be admitted to hold their Yearly Meeting at their accustomed place in Arch street house; it being well secured with locks and bolts, and it was said an additional fence put up inside of the yard in order to guard it more securely, Friends were induced to look out for some other place to hold their Yearly Meeting in. And at considerable expense they erected a large temporary building near Green street meeting house for that purpose. At the time proposed in the epistle a large assemblage of people collected there; the men occupying this temporary building, while the women occupied Green street meeting house: and both were filled, I believe, or nearly so, and sometimes considerably crowded. I think it was estimated that there were more than twenty-five hundred, including both sexes; some thought near three thousand attended at some of the sittings. There was a large proportion of the active and efficient members of society, both of the middle aged and those further advanced in life; and it was a very solemn and interesting Yearly Meeting, not soon I trust to be forgotten by many of us who attended it. Our minds were humbled, and brought into near unity one with

another, and I think a very clear evidence afforded us that the Great Head of the church, was again visiting his people with renewed manifestations of his love and power; restoring peace and harmony in the church, and affording a qualification again to transact the business of a Yearly Meeting, in christian fellowship, and brotherly condescension, on the ancient principles of the Society of Friends; and for the same purposes that first brought them together, in a religious capacity; which was, as stated, I think, in one of our epistles, to promote righteousness in the earth; to edify the churches; to advance the various testimonies which have been given us as a society to bear, and to attend to those various concerns, that particularly relate to the welfare of society.

Q. Does that Yearly Meeting continue to be sustained, generally, by the same meetings and individuals it did before the separation?

A. The next Yearly Meeting was held in the spring following; in Fourth-month 1828, and was then, I think, represented by all the Quarters which had formerly composed the Yearly Meeting, except Philadelphia Quarter; and a large portion of the members that had formerly constituted that Quarter, were also there in attendance, having in many instances transferred their rights from some of the Monthly Meetings in the city to some of the country meetings, in consequence of their being deprived of what they believed to be their religious rights and privileges, in some of those meetings. Green street Monthly Meeting, and, I think, Radnor Monthly Meeting, had both attached themselves to Abington Quarterly Meeting. With this exception of Philadelphia Quarter, I think, the Yearly Meeting was sustained by all the former Quarters composing it.

Q. Was it by the like general consent of individuals, Monthly and Quarterly Meetings, that the same Yearly Meeting had been originally established?

Witness. Does thee mean to go back to the origin of the Yearly Meeting of Pennsylvania?

Counsel. Yes.

Witness. From what I can learn from the history of the origin of the Yearly Meeting of Pennsylvania and its adjacent parts, it was *first* established by Burlington Monthly Meeting alone, in the year 1681. If it is admissable, I can read a short extract from Gough's history on the subject; it is the third volume, page 130.

Mr. Price. The book shall be offered as an exhibit.

[Witness proceeds to read the extract proposed by him, from page 130.] It appears that the members of that Monthly Meeting, when convened, "concluded that a Yearly Meeting might be of general service; and unanimously agreed to establish one, in Burlington; the first of which was to begin the 28th of Sixth-month following, which accordingly met at the house of Thomas Gardiner." The time and place of holding it has been frequently recited here, I believe, and it is not necessary to prolong this examination to go over it again. And although I am not very fully acquainted with historical facts, in relation to the establishment of the first Yearly Meetings on this continent, yet, I believe, there were two Yearly Meetings established, one in Maryland, and one in New England, some years previous to this time, when the Yearly Meeting of Pennsylvania was first established. And which Yearly Meetings I think George Fox attended; perhaps near ten years before that time; I don't remember exactly the year when he was in this country. And I

ave not been able to discover from the information I have had on the subject, that either of those Yearly Meetings, of which I have spoken, or the Yearly Meeting in London, were consulted by Friends of Burlington Monthly Meeting, in the establishment of the Yearly Meeting of Pennsylvania, et cetera.

Q. Does the identity of a Yearly Meeting depend most essentially on the house where it meets, or on its being composed of the same individuals, Monthly and Quarterly Meetings?

A. I should not suppose that the house could have any thing to do with the identity of a Yearly Meeting, if the members who composed that Yearly Meeting in their official capacities as Quarterly and Monthly Meetings should agree from some peculiar circumstances, and existing causes, to meet elsewhere, than at the place they had formerly been accustomed to meet at.

Q. And could they also change the time of meeting, as well as the place?

Q. Certainly they could. A Yearly Meeting is an independent body, subject to no superior head, but the Great Head of the church: and whatever he may in his wisdom point out for Friends in a Yearly Meeting capacity to do, they certainly have a right to do.

Q. If the meeting house were barred and bolted, or surrounded by pestilence, could Friends convene in a Yearly Meeting capacity at another time and place, from what had been usual?

A. I don't know that I can recollect any instance of that nature, in the former harmonious times of society. But I should think it a very reasonable thing; if such circumstances occurred, that Friends would have a right, without its being considered any infraction or violation of their order of society, to assemble at a time and place, that best suited their convenience or inclination. As I said before, a Yearly Meeting is an independent body, and the voice of that body must govern its own proceedings. There was a circumstance which perhaps would come nearest to it of any thing I can remember of former times; at the time the yellow fever was raging in Philadelphia in 1798, when it was considered almost dangerous for country Friends to come to the city, there were a few Friends, I understood, comparatively speaking, of the Yearly Meeting got together, and agreed to hold the Yearly Meeting, or to adjourn the Yearly Meeting to meet some time afterwards, perhaps in Twelfth-month; at which time, (I speak of Twelfth-month now,) they agreed to alter the time of holding the Yearly Meeting to Fourth-month, instead of Ninth-month, in which it had been formerly held.

[NOON.]

Q. By what proportion of the members of this Yearly Meeting in 1827, is the Yearly Meeting that you have been speaking of, sustained?

A. From the best authenticated account that I can obtain, there is eighteen thousand four hundred and eighty-five on the side of Friends; of those called Orthodox, seven thousand three hundred and forty-four: of neutrals, or those that were undecided, four hundred and twenty-nine. [The witness makes this statement from a written statement or document, which he holds in his hand.] I apprehend that this account does not include the Monthly Meeting of Muncy. The documents from which it has been made out, of the meetings held in Pennsylvania, with, I think, one or two exceptions, or two or three, appear to be official do-

cuments from the Monthly Meetings, and signed by their clerks. The other two or three are signed by a number of respectable Friends of those meetings, vouching for the correctness of them. The meetings of Philadelphia are also an exception to that. The accounts were obtained by Friends living in the city, in some instances, from original lists; and in others, from the best information that Friends could obtain of the situation of the meetings, at the time or times of the separation. The numbers in the southern Quarterly Meeting in the state of Delaware, and of the four Quarterly Meetings held in Jersey, including Burlington, Haddonfield, Salem, and Shrewsbury and Rahway, appear to be taken under commissions.

Mr. Brown. I must object to the witness referring to the return to those commissions as the foundation of any evidence in this cause.

The witness proceeds to the conclusion of his sentence;—under commissions issued from the supreme court of Pennsylvania for the eastern district.

Question by Mr. Price. According to your own observation, and from general repute, is the result you have stated about the relative numbers of the parties, within the limits of this Yearly Meeting?

Answer. In those Quarters that I am acquainted with, and which I have attended since the separation took place, I have no reason to doubt the correctness of the statement; I have several times been to Bucks Quarter, and I have discovered very little difference from what it formerly was, as to numbers. The houses, I think, have been pretty much crowded. I have also been at Abington Quarter, and I did not discover any material difference in the appearance of that Quarter. The Quarter to which I belong, Concord, there has, I think, rather more withdrawn from that Quarter, but it is yet sustained by a large majority of Friends. The western Quarterly Meeting I have frequently attended, and I could observe the absence of a few with whom I had formerly been acquainted; but I think a stranger, who might have formerly seen it, or attended it, and not knowing the members, would scarcely perceive the difference as to numbers. I have also attended the southern Quarterly Meeting, where there was no perceivable difference, and where, I think, there were but thirty or thirty-one, including both sexes and all ages, that had withdrawn from it. These Quarters were all held, I believe, at their usual times and places. I have also attended Salem Quarterly Meeting when it has been held at Woodbury; and I discovered very little difference there, as to the appearance of numbers, from what it had formerly been. I have also attended Haddonfield and Burlington Quarters; there was more of a difference to be perceived in those two Quarters, but they were each still sustained by a large and respectable body of Friends.

Q. I wish the witness to state the proportions, if he had seen them before, of the respective parties.

A. Well, I think at Haddonfield, (I am trying to recollect, if I was ever there before the separation,) I was there, at the time they separated, and I should judge that about one half of that Quarter remained with Friends on the day the separation took place. It was then held at Evesham. I have since attended it, and I thought the meeting was larger; the number appeared to be increased, if my recollection serves me. I was also at Burlington Quarter on the day that it separated. I think, as near as I can recollect, it may be stated pretty much in the same way as Haddon-

field; they were about equally divided; that is, the numbers then in attendance. I have also, since, attended that Quarter; I think, more than once; it appeared to me to be large, and not diminished at all in numbers from the time of the separation. Shrewsbury and Rahway, I have never attended.

Q. Is that the only Quarter that you have not attended?

A. There was Caln, I omitted; although I have once attended Caln since the separation, though I had not been much acquainted with that Quarter before, from my own observation and the information I then received, I believe there was a majority of Friends, at least of those who were in the habit of attending Quarterly Meetings.

Q. Have you now named all the Quarters within the limits of Philadelphia Yearly Meeting, except Philadelphia Quarter?

A. Yes, I believe I have; that Quarter was reorganized by the association of Green street Monthly Meeting, and the Monthly Meeting of Philadelphia held at Cherry street, and Radnor Monthly Meeting, who united together in the request that came forward to the Yearly Meeting through Abington Quarter, I believe, in the spring of 1828: and the Yearly Meeting granted them the privilege of holding a Quarterly Meeting in Philadelphia; which is held at Cherry street meeting house. It has since been increased by Exeter Monthly Meeting, and more recently by Muncy Monthly Meeting;—Roaring Creek Monthly Meeting also belongs to it, and did so, I believe, previous to Exeter joining it.

Q. As it now stands, how does it compare in numbers with the Quarterly Meeting of the Orthodox party, in Philadelphia?

A. (The witness refers himself to the same document before spoken of.) According to the account I have, not including Muncy, the number of Friends, including men, women, and minors, are two thousand six hundred and seventy-six. The number of those called Orthodox, is two thousand six hundred and forty-three, and fourteen are set down as neutrals. And as to the appearance of numbers, from my own observation, having never attended the Orthodox Quarter, I can say nothing about that. And although several of these Monthly Meetings are remotely situated, and all, except two, out of the city, it appears to be a large Quarterly Meeting.

Q. How large, compared with what it was before the division?

A. Well, I cannot say, with any degree of accuracy; but from general observation, I should suppose it was more than half as large as the Quarters that were formerly held, before any excitement took place, with regard to the disturbances among Friends.

Q. You state that the estimate you have given, does not include Muncy Monthly Meeting—how stand numbers there, according to your observation?

A. I have not seen any estimate of the whole numbers of that meeting. But having paid them a visit in the late fall, I was at several of their meetings. It is composed of several branches. At Fishing Creek, which perhaps is the largest branch, if I was rightly informed, I think much the greater part are with Friends. At Muncy they may be more equally divided. I think the probability is, that most of the members are on the Orthodox side at that meeting. At Pine Grove, another branch, somewhat remotely situated, and which the leading party of Orthodox, in Muncy Monthly Meeting, in the plenitude of their power, had undertaken to lay down; but being somewhat like Green street, it

rupted, and desired to stop: the impression on my mind is, by Samuel Bettle himself. I am not, however, certain about it.

There was one matter before the Yearly Meeting which was of a humane and benevolent character, that Friends, perhaps of both parties, were pretty much united in. That was, to raise a sum of money to assist Friends in North Carolina, perhaps, in procuring the freedom, or getting some of the oppressed Africans transported to places where they were likely to be better taken care of. At the last sitting of the Yearly Meeting, although many trying circumstances had occurred through the week, there was a proposal then made, which perhaps was the most so of any that had occurred, except it might be the appointment of the clerk, and the manner in which it took place.

A proposition was brought from the women's meeting, I think stated by them, to have been opened by Ann Jones, an English minister then among them, to appoint a committee to visit the Quarterly and Monthly Meetings, constituting the Yearly Meeting; and proposing to meet Friends, that they should consider the subject of appointing a committee to unite with them. This called forth a great deal of excitement, as was naturally to be expected, in the state in which society was then, and from the party measures that seemed to have been pursued, both in that meeting, and in the meeting of ministers and elders; and great opposition was made to it. Even some few of the Orthodox party themselves, at first, did not appear to approve it. But there were others of that party, that strenuously urged the propriety of such a committee being appointed; and as they seemed to understand one another pretty well, apparently, they pretty soon united in urging the measure. It was, however, strongly opposed by much the larger part of the meeting; I cannot undertake to state the proportions, but I should think myself safe in saying two-thirds of it, of those that spoke. But it seemed all of no avail,—there seemed to be a determination in the few, to govern the many, and, to make use of the words of Abraham Lower, “either to rule or to rend the society,”—and having a clerk at the table, subject entirely to the dictates of his own party; he made a minute, and took down the names of the committee that were offered to him; whose names I have not a list of, but as far as my recollection serves, I think, Jonathan Evans, Samuel Bettle, Thomas Wistar, Thomas Stewardson, (perhaps,) Joseph Whitall, Benjamin Cooper, Hinchman Haines, Christopher Healy, (I think,) and several others, amounting to more than a dozen, I believe, in all; and all of them of those called the Orthodox party, and a considerable number of them, the same that were appointed in the meeting of ministers and elders on a similar committee. No *Friend*, I believe, undertook to mention a name, as it was evidently a strong party measure, that the great body of the Yearly Meeting had no unity with. I believe this was the last, or nearly the last act of the meeting that year. Friends were exceedingly tried,—a great portion of the Yearly Meeting: but they had no hope left for redress from that body, under its then existing circumstances. The clerk made a minute adjourning the meeting as usual, to meet again the next year; “if the Lord permit,” was, perhaps, about the conclusion of it.

Q. Did the party that assumed to rule in that Yearly Meeting, then and before violate the usage of the society to come to its conclusions in the unanimity?

A. I think they had done so in a great variety of instances. The ques-

tion is a very broad one. It would lead me to go over the ground that I have already travelled over to recite the various instances, in a great degree. In the circumstance of the opposition and hostile disposition that was manifested towards some valuable ministers, without going further back than the period when the attack was made upon Elias Hicks by the combination of elders, which evidently divided Friends in the meetings of Philadelphia, into two parties, at that period, or in a great degree so. The measures that were pursued by those who might be termed the *dominant* party, though in many instances not the largest party, was a great interruption to the peace and harmony of society, and prevented meetings from coming to their conclusions in the unity. Their conduct towards Priscilla Hunt, in Philadelphia, was another cause of division of sentiment: and without going into particular matters, I may just name some circumstances. That of the Meeting for Sufferings, attempting, in what was considered an insidious way, to force something upon the Yearly Meeting in the form of what was called a *creed*. This circumstance occurred in 1823. The great opposition that was after this manifested to Elias Hicks, when on a visit here in 1826, also had a tendency still more to divide, and to cause divisions in society. The conduct of the members of the Meeting for Sufferings, in rejecting the representatives from the southern Quarter, was another prominent exciting cause. And these causes, that for a considerable time, perhaps, were confined to the city, or at least pretty much so, at length spread into some of the country meetings. It was evident that a party was rising up, that were disposed to excite jealousies; promulgate false reports about individuals, tending to injure their standing, religious standing, I mean to be understood, of some of our valuable ministers, who were opposed to the measures that had been carried on in Philadelphia,—(ministers and other Friends, I should say,) by the dominant party there, against Elias Hicks. There was also a want of common sociability, and the social intercourse of Friends was interrupted by it, in many instances. And this disposition seemed to be generally growing more and more prevalent, until the Yearly Meeting of 1827.

Q. Was that disposition excited by letters and pamphlets, circulated by that party, to prejudice the minds of Friends and the public?

A. I think that was very much the case, from what I have understood. The Friend who had travelled with Priscilla Hunt, I recollect, through New York state and Upper Canada, the summer following her first visit to Philadelphia, informed me that many letters had been written, into some of those remote parts, to prejudice the minds of Friends against her. There were also some pamphlets, I don't recollect what to call them; the letter of Thomas Eddy was one that got into print, though, I believe, not designed by the author to be spread in so public a way, from what I have understood, but to be circulated more privately,—which letter was calculated to lay waste the religious standing of Elias Hicks, and one or two other Friends who were, I think, named in it, were also implicated. I think there was a large book, or pamphlet, printed about that period, previous to the Yearly Meeting of 1827, that was said to be much of the same nature, I don't know the title of it, for I never read it.

Q. Has the Orthodox party, since its separation, pursued the plan by issuing documents in meeting capacities, of unjustly prejudicing the public mind against Friends?

A. I think they have, in a very eminent degree, as every impartial

A. I have not been a witness personally to much of their labours of that sort, and therefore do not wish to impeach their motives: but from what little I have experienced, it did not appear to be that spirit of restoring love that has been the usual practice, and which the discipline enjoins on its members, in the exercise of this rule. But I may also state, that I think I do not know of any instance where the right of their thus presuming to deal with Friends was acknowledged as correct, and supported by the discipline, and usual order of society. About the time of their commencing these, what has been called, and perhaps justly called, sham disownments, there was a considerable excitement, and some alarm, perhaps, that spread through the society, in regard to matters of property: it was understood that the Orthodox had employed several of the most able counsel in the city of Philadelphia, and that they were acting under their counsel, in proceeding thus to disown, as they called it, much the larger part of society. I have heard of a great many curious circumstances taking place, in the progress of their thus attempting to deal with and disown Friends; such as frequently sending their messages from their committees, of information to individuals that they had brought complaints against, and also their papers purporting to be disownments, by the hands of a little boy; and in some instances, one of which, however, was in my own neighbourhood, by the hands of a black man, though nothing the worse for being so, that it appeared that in many instances, this kind of labour had become very irksome to themselves; and some of them have acknowledged, as I have understood, that they would not do it, if they had not been told that it must be done. Hence it is scarcely to be expected, that their labours could have much effect in reclaiming those whom they apprehended had gone astray; and I think within the Yearly Meeting of Friends of Philadelphia and parts adjacent, I have heard of but three instances of those who had at first united with Friends returning to *them* again; and one other instance of another person, or Friend, that did for a time return to them, and has, as it is reported, again left them.

Q. Has each meeting of the society the exclusive management and control over its own property?

A. So far as my knowledge extends, it has so.

Q. Did you attend the New York Yearly Meeting of Fifth-month, 1828? and if so, did the Orthodox party then secede from it?

A. I did so attend that meeting; and a separation took place by a number of individuals, who were considered of that party spoken of, withdrawing from that meeting, during the first sitting of the Yearly Meeting; and who, it was said, went to another place and held a separate meeting. And if it is admissible, I will, in order to shorten this examination, exhibit an epistle that was issued by that meeting that year.

Q. Was that epistle adopted by that meeting while you were present?

A. Yes, I was present when it was adopted; and unanimously, so far as I recollect.

The witness produced a printed copy of the epistle spoken of, having the signatures of Samuel Mott and Mary Bristol, clerks; which is offered in evidence on the part of the complainant and Stacy Decow, and marked by me Exhibit O.

Q. To what extent did the meeting seem to be diminished by the secession of that party?

A. The proposition for a separation, or for that party withdrawing, was first made, I think, by a Friend then in attendance, from Europe. There was a great deal of excitement took place in the meeting, in consequence of the clerk refusing to proceed with the business in the usual way: but after this proposition seemed to be acceded to, that was made by Thomas Shilletoe, (the English Friend,) the clerk, in defiance of the opposition of the great body of the meeting, proceeded to read a minute which I could not distinctly hear from the noise that was made in the house, but I then understood it to be a minute of adjournment: immediately after which that party withdrew; and from the circumstance of the noise in the house, and myself not being far from the clerk's table, I was satisfied then that the purport of the minute could not be heard distinctly over one-half of the house, and therefore I concluded this measure must have been previously determined upon, by the Orthodox party instantly rising and leaving the house; and I have understood, and I believe it is mentioned in that epistle, that there were two hundred and forty-five individuals who withdrew at that time. As the clerk, the old clerk, had carried off what papers he then had with him, which did not appear to be the usual book of minutes, the meeting was left without having all the papers that were properly belonging to the Yearly Meeting. A new clerk, however, was appointed, who had been named previously to the separation, in consequence of the old clerk refusing to act in conformity with the voice of the great body of the meeting; and the meeting proceeded to go on with such business, as they then had before them. Although there had been such a great excitement before the others withdrew, and at the time of their withdrawing, the meeting was favoured to regain a solemn quiet; and near the close of the meeting, after it was concluded to adjourn, (I mean of that sitting,) a request was made that all who were not members of that Yearly Meeting should withdraw out of the meeting. I did not then know the object, but I was afterwards informed, it was with a view to ascertain the number of their own members that were then left behind: and I think, if my recollection serves, there were near or about seven hundred. I will not be positive as to the number, as I have no document to refer to, that contains the account.

Q. I want the witness to give the result of his own observations on the meeting.

A. Well, I think the meeting was largely attended afterwards. I should suppose from my observation, and according to the best of my recollection, it did not appear to me as if there were more, or at least not much more, than one-fourth had withdrawn. It was then a time of great excitement in the society, and I think it very probable there were more collected at that Yearly Meeting, than was usual. I had been at that Yearly Meeting, if I remember right, in the year 1826. I have also attended it, since the separation, in the year 1829, and I remember then making the observation, that I thought it was nearly, if not quite, as large as it was in 1826.

Q. Did you attend the Baltimore Yearly Meeting in Tenth-month, 1828, and if so, state whether a secession of the Orthodox party then took place from it?

A. I did so attend that Yearly Meeting; about the middle of the week, I think, a separation did take place, by a small party, I think it was on Fourth-day evening, announcing their intentions to meet at some other

place the next day, perhaps at a school house; and invited those that were in unity with them, to meet with them. There was some little effort made, I think, by George Jones, a Friend from England, perhaps on Second-day afternoon, to produce a separation, but the Orthodox party in that Yearly Meeting not being so quick on the trigger as himself, were not then prepared to go with him: and hence the separation at that time, I think, was confined to himself, and one other person, who pretty soon after announced his intention to withdraw, and went off with, I suppose, his English brother. I think, George Jones, did not again attend the sittings of the Yearly Meeting, nor, I suppose, the other person that went off with him. But the separation in that Yearly Meeting, I think, may be said to have taken place without much noise and clamour. They appeared to me, I thought, to be a more moderate kind of Orthodox, than I had met with in some other places. As to the numbers that withdrew, I was informed the morning of their first meeting, by a person who told me he counted them as they went into the gate or house.

Mr. *Price* to the witness. It is not proper to state what an individual told you, unless it was matter of general rumour or report.

Witness. Well, this was also a matter of general rumour and report. The highest number I heard spoken of at that time was about one hundred and thirty, a considerable number of whom were strangers that were there in attendance. I may state, from my observation, after the separation took place, that apparently amongst the men, there appeared to be but little diminution of numbers: there were several who had stood in conspicuous stations, and taken an active part in the affairs of society, that were missed from their usual seats. I think, if my recollection serves me, there were not more than one or two, perhaps but one of the representatives from the different Quarters, that seceded with this number; I will not be positive on that point, but that is my impression.

Q. Does the pamphlet you have in your hand contain the epistle and extracts of that meeting for that year, and if so, were they adopted to your knowledge?

A. These appear to be the extracts of that year; and I believe they were adopted by the meeting. The epistolary part which is contained in them, was read and approved by the meeting, and the other parts appear to be taken from the minutes of the meeting, in the usual way, as extracts.

The pamphlet was offered in evidence on the part of the complainant, and Stacy Decow, and marked by me Exhibit P.

Q. Is "Cockburn's Review" esteemed a correct narrative of the causes of the division of the society in the Yearly Meeting of Philadelphia?

A. So far as my knowledge extends, it is.

Mr. *Brown*. I wish it to be distinctly noted, that I object to the book now offered in evidence, as altogether illegal testimony, and inadmissible in this cause.

Witness in continuation. It is, I believe, generally esteemed by the society as a correct statement of the matters of fact, so far as it goes, in regard to the separation which has taken place, with a very few exceptions. Perhaps in the account he has given of numbers on page 253, the amount, I believe, is not correct, and in a few other places when he speaks of numbers; the statement of numbers, at the time he wrote, not being

so fully ascertained from the different meetings. I shall, therefore, only consider myself as sanctioning it respecting the relation of facts and circumstances that come within my own knowledge; and the other parts must be taken from common repute, as many other things have been done. There is, however, one circumstance that induces me to believe that general credit may be given to his account, and that is, that I have never yet understood that the Orthodox party themselves have undertaken to review it, either as individuals, or in any official way, as they have done most of the other writings that have been issued by Friends in an individual capacity, in relation to the subject of the division; as also those writings and epistles of a more official character. I may also further state on behalf of the author, that he is a valuable minister, who was fully approved, and as far as I know, universally esteemed by Friends where he was known, previous to the separation that has taken place; and being a member of the Monthly Meeting of the western district, Philadelphia, for several years previous to the time of separation, I think I am safe in saying, that he was highly esteemed by Thomas Wistar, and Ellis Yarnall, two of the elders of that meeting; as he was by the meeting at large.

The book named by the witness, entitled "Cockburn's Review," printed by Philip Price, jr. Philadelphia, 1829, is offered in evidence on the part of the complainant, and Stacy Decow, and marked by me Exhibit Q.

[NOON.]

The book referred to by the witness, and from which he read an extract, entitled "Gough's History," vol. iii., was offered in evidence on the same side, and marked by me Exhibit R.

The testimony thus far was read over to the witness, after which, adjourned until to-morrow morning at ten o'clock.

Thursday morning, December 16, 1830, at ten o'clock, A. M. The parties and counsel present as yesterday.

Mr. *Brown*. Many of the facts and circumstances detailed by this witness, (Halliday Jackson,) are stated by him to be communicated by others; he does not pretend to say they are true, of his own knowledge; to all such parts of his testimony, and which come properly under the character of hearsay evidence, I object, as incompetent.

Mr. *Price* enters the like objection to the like testimony, on the part of the witnesses on the other side.

And the said Halliday Jackson being cross-examined on the part of the said Joseph Hendrickson, affirms as follows, viz:

Question by Mr. *Brown*. When did the last general revision of the discipline of the Yearly Meeting of Philadelphia take place?

Answer. I suppose the book was printed in 1806. I think this is the date it bears. I am inclined to think that at the Yearly Meeting, perhaps of 1805, the subject must have been then before the Yearly Meeting, of the propriety of a revision of the discipline; and my impression is, that this subject was referred to the Meeting for Sufferings, together with a large committee, if I remember right, to unite with them in revising the discipline; and which revision, I apprehend, was produced, and read, and sanctioned by the Yearly Meeting in 1806. I take this to

another, and I think a very clear evidence afforded us that the Great Head of the church, was again visiting his people with renewed manifestations of his love and power; restoring peace and harmony in the church, and affording a qualification again to transact the business of a Yearly Meeting, in christian fellowship, and brotherly condescension, on the ancient principles of the Society of Friends; and for the same purposes that first brought them together, in a religious capacity; which was, as stated, I think, in one of our epistles, to promote righteousness in the earth; to edify the churches; to advance the various testimonies which have been given us as a society to bear, and to attend to those various concerns, that particularly relate to the welfare of society.

Q. Does that Yearly Meeting continue to be sustained, generally, by the same meetings and individuals it did before the separation?

A. The next Yearly Meeting was held in the spring following; in Fourth-month 1828, and was then, I think, represented by all the Quarters which had formerly composed the Yearly Meeting, except Philadelphia Quarter; and a large portion of the members that had formerly constituted that Quarter, were also there in attendance, having in many instances transferred their rights from some of the Monthly Meetings in the city to some of the country meetings, in consequence of their being deprived of what they believed to be their religious rights and privileges, in some of those meetings. Green street Monthly Meeting, and, I think, Radnor Monthly Meeting, had both attached themselves to Abington Quarterly Meeting. With this exception of Philadelphia Quarter, I think, the Yearly Meeting was sustained by all the former Quarters composing it.

Q. Was it by the like general consent of individuals, Monthly and Quarterly Meetings, that the same Yearly Meeting had been originally established?

Witness. Does thee mean to go back to the origin of the Yearly Meeting of Pennsylvania?

Counsel. Yes.

Witness. From what I can learn from the history of the origin of the Yearly Meeting of Pennsylvania and its adjacent parts, it was *first* established by Burlington Monthly Meeting alone, in the year 1681. If it is admissable, I can read a short extract from Gough's history on the subject; it is the third volume, page 130.

Mr. Price. The book shall be offered as an exhibit.

[Witness proceeds to read the extract proposed by him, from page 130.] It appears that the members of that Monthly Meeting, when convened, "concluded that a Yearly Meeting might be of general service; and unanimously agreed to establish one, in Burlington; the first of which was to begin the 28th of Sixth-month following, which accordingly met at the house of Thomas Gardiner." The time and place of holding it has been frequently recited here, I believe, and it is not necessary to prolong this examination to go over it again. And although I am not very fully acquainted with historical facts, in relation to the establishment of the first Yearly Meetings on this continent, yet, I believe, there were two Yearly Meetings established, one in Maryland, and one in New England, some years previous to this time, when the Yearly Meeting of Pennsylvania was first established. And which Yearly Meetings I think George Fox attended; perhaps near ten years before that time; I don't remember exactly the year when he was in this country. And I

have not been able to discover from the information I have had on the subject, that either of those Yearly Meetings, of which I have spoken, or the Yearly Meeting in London, were consulted by Friends of Burlington Monthly Meeting, in the establishment of the Yearly Meeting of Pennsylvania, et cetera.

Q. Does the identity of a Yearly Meeting depend most essentially on the house where it meets, or on its being composed of the same individuals, Monthly and Quarterly Meetings?

A. I should not suppose that the house could have any thing to do with the identity of a Yearly Meeting, if the members who composed that Yearly Meeting in their official capacities as Quarterly and Monthly Meetings should agree from some peculiar circumstances, and existing causes, to meet elsewhere, than at the place they had formerly been accustomed to meet at.

Q. And could they also change the time of meeting, as well as the place?

Q. Certainly they could. A Yearly Meeting is an independent body, subject to no superior head, but the Great Head of the church : and whatever he may in his wisdom point out for Friends in a Yearly Meeting capacity to do, they certainly have a right to do.

Q. If the meeting house were barred and bolted, or surrounded by pestilence, could Friends convene in a Yearly Meeting capacity at another time and place, from what had been usual?

A. I don't know that I can recollect any instance of that nature, in the former harmonious times of society. But I should think it a very reasonable thing; if such circumstances occurred, that Friends would have a right, without its being considered any infraction or violation of their order of society, to assemble at a time and place, that best suited their convenience or inclination. As I said before, a Yearly Meeting is an independent body, and the voice of that body must govern its own proceedings. There was a circumstance which perhaps would come nearest to it of any thing I can remember of former times; at the time the yellow fever was raging in Philadelphia in 1798, when it was considered almost dangerous for country Friends to come to the city, there were a few Friends, I understood, comparatively speaking, of the Yearly Meeting got together, and agreed to hold the Yearly Meeting, or to adjourn the Yearly Meeting to meet some time afterwards, perhaps in Twelfth-month; at which time, (I speak of Twelfth-month now,) they agreed to alter the time of holding the Yearly Meeting to Fourth-month, instead of Ninth-month, in which it had been formerly held.

[NOON.]

Q. By what proportion of the members of this Yearly Meeting in 1827, is the Yearly Meeting that you have been speaking of, sustained?

A. From the best authenticated account that I can obtain, there is eighteen thousand four hundred and eighty-five on the side of Friends; of those called Orthodox, seven thousand three hundred and forty-four: of neutrals, or those that were undecided, four hundred and twenty-nine. [The witness makes this statement from a written statement or document, which he holds in his hand.] I apprehend that this account does not include the Monthly Meeting of Muncy. The documents from which it has been made out, of the meetings held in Pennsylvania, with, I think, one or two exceptions, or two or three, appear to be official do-

rupted, and desired to stop: the impression on my mind is, by Samuel Bettie himself. I am not, however, certain about it.

There was one matter before the Yearly Meeting which was of a humane and benevolent character, that Friends, perhaps of both parties, were pretty much united in. That was, to raise a sum of money to assist Friends in North Carolina, perhaps, in procuring the freedom, or getting some of the oppressed Africans transported to places where they were likely to be better taken care of. At the last sitting of the Yearly Meeting, although many trying circumstances had occurred through the week, there was a proposal then made, which perhaps was the most so of any that had occurred, except it might be the appointment of the clerk, and the manner in which it took place.

A proposition was brought from the women's meeting, I think stated by them, to have been opened by Ann Jones, an English minister then among them, to appoint a committee to visit the Quarterly and Monthly Meetings, constituting the Yearly Meeting; and proposing to men-Friends, that they should consider the subject of appointing a committee to unite with them. This called forth a great deal of excitement, as was naturally to be expected, in the state in which society was then, and from the party measures that seemed to have been pursued, both in that meeting, and in the meeting of ministers and elders; and great opposition was made to it. Even some few of the Orthodox party themselves, at first, did not appear to approve it. But there were others of that party, that strenuously urged the propriety of such a committee being appointed; and as they seemed to understand one another pretty well, apparently, they pretty soon united in urging the measure. It was, however, strongly opposed by much the larger part of the meeting; I cannot undertake to state the proportions, but I should think myself safe in saying two-thirds of it, of those that spoke. But it seemed all of no avail,—there seemed to be a determination in the few, to govern the many, and, to make use of the words of Abraham Lower, “either to rule or to rend the society,”—and having a clerk at the table, subject entirely to the dictates of his own party; he made a minute, and took down the names of the committee that were offered to him; whose names I have not a list of, but as far as my recollection serves, I think, Jonathan Evans, Samuel Bettie, Thomas Wistar, Thomas Stewardson, (perhaps,) Joseph Whitall, Benjamin Cooper, Hinchman Haines, Christopher Healy, (I think,) and several others, amounting to more than a dozen, I believe, in all; and all of them of those called the Orthodox party, and a considerable number of them, the same that were appointed in the meeting of ministers and elders on a similar committee. No *Friend*, I believe, undertook to mention a name, as it was evidently a strong party measure, that the great body of the Yearly Meeting had no unity with. I believe this was the last, or nearly the last act of the meeting that year. Friends were exceedingly tried,—a great portion of the Yearly Meeting: but they had no hope left for redress from that body, under its then existing circumstances. The clerk made a minute adjourning the meeting as usual, to meet again the next year; “if the Lord permit,” was, perhaps, about the conclusion of it.

Q. Did the party that assumed to rule in that Yearly Meeting, then and before violate the usage of the society to come to its conclusions in the unanimity?

A. I think they had done so in a great variety of instances. The ques-

e larger, as a large number is appointed on important occasions. And as this subject particularly related to Philadelphia, it is a probable case that there might have been some additional Friends named in Philadelphia Quarter, or otherwise, liberty given for Friends who felt a concern to attend with that committee; which is not an unusual thing in the Yearly Meeting.

Q. Can you now recollect any other person than Thomas Scattergood, as being on that committee from the city, or as having used those "strenuous efforts?"

A. I cannot undertake to name individuals; the thing seems to have gone from my recollection who they were; but I remember after the committee broke up, that Jacob Lindley and myself walked to our lodgings together, or at least to my lodging; and I think we had some conversation on the subject of the efforts that were made by some individuals to have this meeting established.

Q. You have stated that certain ministers had concerns before one or more of the Monthly Meetings of Philadelphia, to visit the families composing them: was not the object in laying those concerns before the respective meetings, to have their unity and concurrence to proceed therein?

A. Whatever the object of individuals might be, I cannot say: I may state from my own knowledge, that it has not been an unusual practice with Friends who had a prospect of this kind, to attend at the time of the Monthly Meeting and produce a minute of the concurrence and unity of their Friends at home, as an introduction to a visit of this kind: and I think in most of the instances with which I have been acquainted, such Friends have been encouraged to proceed in their visit; and frequently a Friend or two named to accompany them, and assist them in performing the visit. But I think there have been frequent instances of Friends proceeding on such a visit without their first laying their prospect before the Monthly Meeting, which they had a concern to visit. Neither do I consider it necessary in the order of society, that a Friend should be obliged to take the sense of a Monthly Meeting that he was not a member of, in a concern of this kind, when he had the consent of his own Monthly Meeting, which I consider the only legitimate body to judge of his concern, expressed by a minute or certificate.

Q. When an individual lays such a concern before a Monthly Meeting, has it no option whether its families shall receive such a visit or not?

A. I don't know of any discipline in the case, as it regards the conduct of the Monthly Meeting; but I should suppose, that if there were some, or a considerable part, of the members of that Monthly Meeting were desirous of having such a visit in their families, the Monthly Meeting would have no right to reject such a visit. I consider it very much in the light of other concerns of ministering Friends to visit the meetings of Friends wherever their prospects lead them, and where they have liberty so to do. It would certainly very much protract their visit, or impede the progress of their religious concerns, if it was considered obligatory to first have the consent of the Monthly Meeting within whose limits they were about to perform such a visit.

Q. If no individual expresses such a desire, may the Monthly Meeting reject the visit?

A. I have never known an instance of that kind: I suppose that if every member in the Monthly Meeting expressed their objections to a

man must be convinced, who has read their publications of that nature. Perhaps the first of these official documents was issued by the Meeting for Sufferings, soon after the Yearly Meeting, or at least in the course of that summer of 1827. I have not read it lately—I don't know that I have these two years—but I was satisfied then that it contained charges that were altogether unfounded, and a great deal of misrepresentation of our motives and views, or the motives and views of Friends, I should say. Their next official document I recollect of that kind, [I ought to have said, that that document from the Meeting for Sufferings was signed by Jonathan Evans as clerk, to make it official,] as I before said, their next document of that kind was issued by their Yearly Meeting in the spring of 1828, and signed by Samuel Bettle as clerk, which also contained charges that I have considered entirely unfounded, and calculated to destroy the religious standing of that part of the society of Friends, to whom it seemed to be applied as a christian people. I think I recollect seeing some account, either in an epistle, or some document that came from the Yearly Meeting of London, that the Meeting for Sufferings in London had received a letter, I think from the Meeting for Sufferings in Philadelphia, giving also a very injurious account of that part of the Society of Friends, who now compose the great body of the Yearly Meeting of Pennsylvania, and its adjacent parts.

Adjourned until to-morrow morning, at 10 o'clock.

Tuesday morning, December 14, 1830, at 10 o'clock. Examination of Halliday Jackson continued. Present the same as yesterday.

Question by Mr. Price. Did the great body of Friends, in consequence of the violation of the harmony and principles of the society, by a party, proceed to hold the Yearly Meeting, independently of that party?

A. They did so proceed. The various disorders that I have before stated, and violations of the order and discipline of the society, previous to the Yearly Meeting of 1827, had produced in the minds of many Friends a strong impression that the conflicting parties could not much longer harmonize together in a Yearly Meeting capacity. It had been generally understood, that some of the leaders of those called the Orthodox party, had made declarations that there must be a separation. For instance, Thomas Wistar in the Quarterly Meeting of Philadelphia, as stated by Abraham Lower, had made this public declaration. John Comly, whose mind was very deeply affected with the scenes and disorders that had occurred previous to that time, seemed to be impressed with the belief, that society could scarcely be saved from ruin, in any other way than by dividing from this dominant party, who plainly showed by their conduct, that they were determined to rule, and to have the government of the church. John Comly, therefore, in some interviews with some of his friends, previous to that Yearly Meeting held in 1827, had opened a prospect of this kind. Although he has been charged by our Orthodox friends, in some of their perhaps anonymous pamphlets of travelling about, and holding, I think, *forty caucus meetings*, I think as they called them, of that kind. I have heard him say myself, that he never had more than four or five that could be called any thing like *conferences* on the subject; and those when he met with a few Friends together, while he was travelling on other concerns. In one of those, and one only, I was present, and perhaps six or eight other Friends, be

sides the family we were then in. He then opened his views to us in a very solemn manner, respecting the distressing state of society, and wished Friends that were present to consider the subject. He stated that he did not wish his views at all to be kept secret. Friends that were then together, expressed much tender feeling and sympathy, being fully sensible of the tried and distressed state the society was then in. But there was still a looking towards the approaching Yearly Meeting, with a hope that there would be some redress; and that when Friends from the country collected in a Yearly Meeting capacity, they might be able to put some check upon the disorders that were prevailing, which had been principally occasioned by the dominant party that were principally confined to Philadelphia, and had assumed the right to govern the proceedings of the society. I think John Comly expressed, if I remember right, that he had attended the Quarterly Meeting in Philadelphia about that time, or previous to that time, and perhaps some other meetings; and he thought it was a vain hope. I believe there was no other conference that I have knowledge of, (and that could scarcely be called a conference, as there were but a few Friends together,) until Fourth-day evening, during the week of the Yearly Meeting. There were then a number of Friends got together in a private house, perhaps fifteen or twenty, I cannot state the number precisely, and entered into a consideration of the afflicting state that the Yearly Meeting was then in, and of the society generally composing it. The circumstances, or many of them that I have heretofore related, as tending to produce division in society, together with the scenes that had taken place during that Yearly Meeting; the appointing a committee in the Yearly Meeting of ministers and elders, out of the unity and harmony of the body; the manner in which the clerk was imposed upon the Yearly Meeting by much the lesser number of the body, contrary to all former precedent. These circumstances that had already transpired previous to Fourth-day evening, evidently showed that the unity of the body was broken. The bond of religious union was, as it were, rent asunder, and that by a minority in the society presuming to rule over a great majority. The next consideration in that conference was, what steps in the wisdom of truth would be best to take to save the society from ruin, and restore peace and harmony among the body of its members. It was then proposed to nominate a few Friends to prepare an address, and to have a more general conference, I think on Fifth-day evening. The invitations were spread more generally among Friends, and they collected at Green street meeting house, I may not be mistaken, when I say from two to three hundred, perhaps; it was a large number. It was a very solemn and an awful time; and Friends seemed very desirous to be under the guidance and direction of the great head of the church, in all their movements, and a great solemnity prevailed.

After several very weighty communications on the nature of the business that Friends had met about, the address that was prepared was read and considered, and very much united with. The evening being spent, they adjourned until the next evening, to meet again, further to deliberate on the subject. There was an increased number, I think, that evening; and they adjourned, to meet again at the rise of the Yearly Meeting, on Seventh-day morning. It was then expected that the Yearly Meeting would conclude with a short sitting.

That last act of the Yearly Meeting in appointing the committee I

Q. What parts of that letter from Thomas Eddy did Elias Hicks allege to be untrue, and to what subjects did they relate?

A. I cannot now particularly remember; it is a good many years since. But I think he pronounced it to be generally untrue, or misrepresentation.

Q. Did they relate to the doctrines held by Elias Hicks?

A. As I cannot remember the particular subjects, I will not undertake to specify them. But, as I suppose there were many charges made by Thomas Eddy, in regard to doctrine, it is probable some of them might have been of that nature.

Q. You have spoken of some opposition being made to Elias Hicks' preaching, at Pine street meeting in 1826,—did he not, in that meeting, deliver some sentiments, which many Friends considered very unsound and objectionable?

A. As that testimony has been printed, and perhaps made an Exhibit in this examination, (I don't know how that is,) I must refer you to that, the counsel and his clients, I mean, to draw their own conclusions, respecting the soundness of his doctrine.

Counsel. I have not put the question whether those doctrines were sound; but, whether there were not some Friends who considered them, on that occasion, unsound and objectionable?

Witness. From the nature of this question, it appears to me, to be calculated to go into the subject of doctrines, and matters of faith, which has heretofore been protested against by the counsel on the part of Friends; and it will, therefore, subject me to the necessity of making the same protest. [The question was again read to the witness, when he further answers,] I can answer as far as I know, that I never heard a Friend in my life say, that they were unsound, (that I have conversed with,) unless what Jonathan Evans and Isaac Lloyd expressed in that meeting might be construed to imply unsoundness.

Q. Did you never hear that those doctrines were so considered unsound by many Friends?

A. Why, I have heard a great deal said, to be sure, and seen a great deal in print, in regard to the charges this combination of elders in Philadelphia have made against Elias Hicks; but then it was considered by the great body of society, that their charges were unfounded.

Q. Did you not know that the Monthly Meeting of Pine street, drew up an official representation of what they considered unsound doctrines preached by Elias Hicks on that occasion, and forwarded it to the Monthly Meeting, of which he was a member?

A. I never attended Pine street Monthly Meeting, I think, to my recollection, when any subject of the kind was before it; but I think, I have heard that some statement of that kind was got up by a dominant party in that meeting, by no means united with by the meeting at large, and perhaps forwarded to the Monthly Meeting of Jericho; but I think I understood, and was informed perhaps by a letter, from a Friend of Jericho, that they would take no notice of it there; as they had the *testimony* in print, and had had the opportunity of judging of it for themselves; they could predicate no charges of unsoundness against Elias Hicks from that testimony: that he was so fully approved and so fully united with, by the Monthly Meeting of which he was a member, that they were fully satisfied with him; except it might be two or three individuals, one of whom, I think, Thomas Willis, has been here in the

course of this examination, and fully showed, by his testimony, that he was a decided enemy to Elias Hicks. It was not only his own Monthly Meeting, but he was so universally approved where he was best known, that it was in vain for a few individuals in Pine street Monthly Meeting to attempt to lay waste his character as a minister in this way. I may further add, that he was of such high standing in the place where he lived, among those who were not members, that he was often applied to for counsel and advice, in settling of differences, and disputes, that might arise among neighbours; so much so, that I have frequently heard said, that a "lawyer could hardly get a living within ten miles of where he lived."

Q. When you speak of his being so *universally* approved, do you allude to those whom you call Friends, or to those you call Orthodox?

A. I have been speaking of a time before there was much distinction of this kind made in the Society of Friends; however, it was not so extensively made, and, of course, I allude to the society in the general. But when these distinctions began to arise, after this combination of orders I have spoken of, to interrupt the religious services of Elias Hicks, I suppose those who then went by the name of Orthodox, were generally united with the elders in their opposition to him; but this was a small minority of the society. And as to the *universal esteem* which those not of the society had for him, I think that was fully evinced by the large, and unusually large assemblies, that collected at his meetings, almost wherever he went.

Q. Did not, what you call the opposition of Jonathan Evans at Pine street meeting on that occasion, consist in the expression of the following sentiments, after Elias Hicks had sat down, viz. "I believe it my duty to say, that our society has always believed in the atonement, mediation and intercession of our Lord and Saviour Jesus Christ; that by him all things were created, in heaven and in earth, both visible and invisible, whether they be thrones, principalities, or powers:—we believe that all things were created by him, and for him; that he was before all things, and that by him all things consist. Any doctrine which goes to invalidate these fundamental doctrines of the christian religion, we cannot admit, nor do we hold ourselves accountable for; great efforts are now making to bring the people to believe, that Jesus Christ was no more than a man; but we do not believe any such thing, nor can we receive any such doctrine, or any thing which goes to inculcate the idea. Our society believe Him to be King of kings, and Lord of lords, before whose judgment seat every soul shall be arraigned, and be judged by him. We never did consider him to be a mere man, and therefore, that people may not suppose we hold any such doctrine, or have any affinity with it?"

A. I cannot undertake to say, that that is exactly what Jonathan Evans said; but to the best of my recollection, it embraces several matters which I believe he did say. I considered it then, as a confession of Jonathan's faith, that the meeting did not require of him; and if he resigned it for opposition to Elias Hicks, which I have no doubt he did, I remember my impression at the time, that it did not well apply to Elias's testimony at that time. It produced great unsettlement in the meeting; but Willet Hicks, from New York, was there, and after some time, delivered a short, but, I thought, very impressive testimony, after which the meeting pretty soon concluded. Elias Hicks, in the good-

ness of his heart, kindly offered his hand to Jonathan Evans, who, long before that, had been his faithful friend; but he refused giving him his hand, and seemed very much agitated.

Q. I understand you to say then, that this was the only opposition made by Jonathan Evans, to Elias Hicks, at that time?

A. In that meeting, I don't recollect of any other made by him; there was opposition made by Isaac Lloyd.

Q. Did not what you call the opposition of Isaac Lloyd, consist merely in the expression of the following sentences, viz: "I unite with what our friend Jonathan Evans has said. We never have believed that our blessed Lord and Saviour Jesus Christ came to the Jews only, for he was given for God's salvation, to the very ends of the earth?"

A. I recollect Isaac's remarks were very short, and, I think, that is about the substance of it. I cannot be certain as to the exact language he used. When the meeting broke up, I think Isaac Lloyd gave Elias Hicks; and, I think, when this combination of elders essayed to have an interview with Elias Hicks, at Green street meeting house, Isaac Lloyd accompanied him, as the friend of Elias Hicks; and if I have been rightly informed, expressed his disapprobation against their proceedings.

Q. This was the only opposition made by Isaac Lloyd, to Elias Hicks, upon that occasion?

A. If there was any other, it was not known to me, I think.

Q. Were not Isaac Lloyd's views respecting Elias Hicks changed in consequence of a conversation which he had with him, on the subject of the doctrines he held?

A. I cannot say how that was. I was not frequently in the habit of conversation with Isaac Lloyd, and I never recollect hearing him say any thing in regard to what might have changed his views; neither do I remember hearing Elias Hicks say any thing on the subject.

Q. Have you no common reputation upon the subject?

A. Well, I think I have heard by some means, but I cannot say how, that Elias Hicks and Isaac Lloyd had a conversation together, in which they disagreed in sentiment on some matters: but what those matters were, I can give no account of them.

Q. State, if you have any common reputation on the subject, whether or not, it was doctrinal matters on which they disagreed?

A. I have no recollection that will enable me to state what those matters were, or else I should do it, without hesitation.

Q. Did not what you call the opposition of Thomas Wistar, to Elias Hicks, at the Twelfth street meeting, on the afternoon of the same day, as that at Pine street, consist in the expression of the following words, viz: "I think it proper that this large assembly should be informed that the Society of Friends have always believed in the authenticity of the Holy Scriptures, and the prophecy of the Evangelical Prophet Isaiah. Unto us a child is born, unto us a son is given; the government shall be on his shoulders, his name shall be called Wonderful, Counselor, the Mighty God, the everlasting Father, and Prince of peace, of the increase of whose government and peace there shall be no end; and also, in the account contained in the New Testament of the miraculous conception, birth, holy life, crucifixion, death, resurrection, and glorious ascension of the adorable Son of God?"

was so situated at that meeting, that I could not hear all that was attempted to go in with Elias Hicks, through the back end of the house being crowded, and the yard also, when we got out. But when Elias got into the passage leading up into the gallery, he crowded in so close on him, that I could not get through: I went again into the yard, and got as near to one of the end doors, as I could get for the people, and stood there for some considerable time. When Elias's voice was heard, there was a great pressing at the doors, and I was rather pushed in, to the inside of the door. When Thomas Wistar spoke, a very considerable stir took place, I think, especially in the youths' galleries; and there was so much noise, that I cried out, I think, order, order! and others called to Thomas Wistar to sit down, so that I could not distinctly hear what Thomas Wistar said; and, therefore, I cannot say that that was what he did at that occasion. I think, however, I remember hearing the words "Alas! woe to the prophet Isaiah."

While he was speaking, Elias tried to quiet the people; and some person, in the youths' gallery, said, that they would not be quiet until Thomas Wistar sat down, if my recollection serves me right. I remained until half past 9 to-morrow morning.

On the morning, December 17th, 1830, at half past 9 o'clock. Parties were assembled as yesterday.

Examination of Halliday Jackson, continued.

Questioned by Mr. *Brown*. Was not the alleged opposition to Elias Hicks, the women elders at the north meeting, of the same nature as that of Jonathan Evans, Isaac Lloyd, and Thomas Wistar?

Answered, if my recollection serves me, there was but one woman at the North Meeting that was in the station of an elder, as I understood. I think there was another woman, who, perhaps, was in the station of a minister, if I recollect right, that had something to say, but I could not undertake to say now, from my recollection, that it was in any way of opposition. What the woman elder had to say, I understood was much of the same character of that of Jonathan Evans's and Thomas Wistar's, as far as I could understand, and have since understood. It induced me to believe at that time, that there had been a union or combination amongst them, previous to Elias's attending the meetings.

I have spoken of some opposition being made to the ministry of John Mott, in Arch street Monthly Meeting; was not the only opposition on that occasion, the expression of objection to the sentiments uttered by Mott, that "Jesus Christ, who was crucified at Jerusalem, was not the Redeemer and Saviour of the world?"

I don't recollect ever hearing of that sentiment in that meeting. I understood before, in my testimony in chief, I was not present, but had the common report, as also from some of the members of that meeting.

And I think John Mott gave some information himself, as he and I rode about thirty miles in a chair together. All I can recollect of the subject of his testimony in that meeting, was, that he had much to say on the subject of love; and that Thomas Wistar, perhaps, in his inadvertencies upon it, had stated something to this amount, that Thomas Wistar, under a profession of love, had betrayed his master."

John Mott being a minister, well esteemed by his friends in the

Yearly Meeting of New York, it appeared to be a violation of that rule of discipline, I have already quoted, in the case of William Evans opposing Priscilla Hunt.

Q. Was John Mott one of those whom you call Friends?

A. Yes—I believe he remains with Friends in the Yearly Meeting of New York; there had no separation taken place in that Yearly Meeting until a considerable time after this circumstance happened.

Q. Were the observations of Thomas Wistar made in the public meeting, or in the meeting for discipline?

A. I think I have understood that it was in the meeting for discipline that all these remarks were made.

Q. What was the doctrine preached by Nicholas Brown, and which he told you that Jonathan Evans had objected to?

A. I think I stated in my testimony in chief, that I had never been fully made acquainted with the subject of his communication in Pine street meeting; and, therefore, I am not able to fully answer the question. I do however remember to have heard, there was something said about what is called “Original Sin,” or on that subject. I believe that is as far as I can recollect any particulars.

Q. Is Nicholas Brown one of those whom you call Friends?

A. Yes, he is so. But at that time was circumstanced, I believe, as John Mott was; highly esteemed by the members generally of New York Yearly Meeting. And I don’t recollect ever to have heard that any Orthodox Friend in that Yearly Meeting had any uneasiness respecting him at that time. He was here in the order of society, I think, with a certificate, expressive of the unity of his friends at home.

Q. If Jonathan Evans, or any other elder, was dissatisfied with his ministry, was it not in the order of society for him to express that uneasiness to him?

A. It was certainly a privilege that any elder had in the meeting to which he belonged. But the *manner* in which it is done, is sometimes what produces a breach of that order that is pointed out by the discipline; that is to be in the spirit of restoring love.

Q. That *manner*, in this instance, I understand you were unacquainted with, as you were not there?

A. I was not there. But from what I understood from Nicholas Brown himself, Jonathan had treated him very harshly on that occasion.

Q. Was it not contrary to the order of society for Nicholas Brown to make this communication to you, instead of going to Jonathan himself, or the proper officers of his meeting?

A. I cannot say how far it would be considered contrary to the order of society. It seems that Jonathan and he had had an interview, and from what passed between them, Nicholas Brown could not have much expectation of any advantage or reconciliation taking place by another interview between themselves alone; and, therefore, he thought it necessary to have an interview with him, in company with a few Friends, that were, I believe, selected, not, I apprehend, by himself, but perhaps by some other Friends who came to the knowledge of it; and, I think, it is probable that it was with that view he mentioned it to me in the manner he did. As for precedents in such a case, although I don’t consider them worthy of being followed, I think we might quote a number of them from the Orthodox themselves; as in the case of Comfort and Bell, and other accusers of Elias Hicks.

Q. Was not the conduct of Nicholas Brown, in making that charge

Jonathan Evans to you, respecting what had occurred between a private interview between themselves alone, a breach of the discipline, which discourages talebearing and detraction?

That depends upon the motives with which it was done. And, I am what Nicholas Brown informed me at that time, his intention to have an interview with Jonathan Evans, with some other present, in order to have a further explanation on the subject of what occurred between them. And *that*, I think, is a liberty that should in society ought to have when he thinks himself aggrieved. Did not Nicholas Brown make the same charge against Jonathan to a number of Friends, before any interview was spoken of? I cannot say how that was. I don't recollect any thing of the kind by presence. I believe the interview between him and Jonathan, if I am rightly informed, was at Samuel Bettles's house, where Nicholas Brown then lodged; and I am not sure that it was altogether *private* between them.

Did he say any thing to you at the time he made the charge on the subject of such an interview?

I think he did. It was either then, or soon after, in a conversation with him, he told me where it took place, if I remember right.

Does not the discipline prescribe the order in such cases to be, to make a private interview between him and you alone; and if failing, then to speak to the overseers of the meeting to which he belongs?

I must refer you to the discipline itself. On occasions of other cases that would render an individual amenable to the discipline, I find that is the order prescribed. But, as in this case, I believe Nicholas Brown had no design at all to make any charge upon Jonathan in an official way, through the channel of the overseers: I apprehend it was somewhat of a different character; and that his views and feelings were, in mentioning it to some of his friends, to have a further explanation with Jonathan on the occasion; and, if possible, a reconciliation between them.

Did not you, and a number more of your party, make strenuous objection to the concern of Anna Braithwaite, to have a joint opportunity of the men and women Friends, at the time of Concord Quarterly Meeting held at Wilmington in 1826?

I have a clear recollection of that circumstance, the Quarterly Meeting at that time met separate, men and women apart, with *closed shut-door* term is used. And soon after the meeting was settled, I think, a request of that kind came from the women's meeting. How much opposition was made to the *concern* itself, I cannot now undertake to say. I think, however, there was some opposition; and if I am not mistaken, it was stated that she had taken up a good deal of time in the previous Quarter, among men Friends, in the same way. There was a great deal of difference of sentiment expressed about it, and a good deal of what are now called the Orthodox party, seemed very anxious to be admitted, at that time. It was thought, however, by a great number, that as the business of the Quarterly Meeting was weighty, it was best to proceed through with that, *first*. At least, the concern of Anna Braithwaite to be further considered, when the business of the meeting was through with. When the business of the Quarterly Meeting was over, the subject was again revived, if I remember right, and I

do not recollect that then there was any opposition made to it. If there was, it has escaped my recollection. I don't remember what I may have said on the occasion myself, in the previous part of the meeting; but I have the impression, that I was then at the latter period consenting her being admitted. A message, I think, was sent to women Friends, informing them that the way was now open for an opportunity of the kind.

The circumstances are very much gone from me; but I think the partitions were opened, and she had that opportunity. I think Elisha Bate and other Friends, some of the Friends from Ohio, were also there. I remember drinking tea with them, and spending the evening very pleasantly in Anna Braithwaite's company.

Q. Was not opposition made by yourself and others of your party to a concern of Ann Jones, to pay a visit to the men's meeting, at the time of the Quarterly Meeting at Concord, in Second-month 1827?

A. I do remember a circumstance of that kind. But I could not be able to fix the date, when a request of that kind was made by Ann Jones. It met with great opposition in the Quarterly Meeting. It was a time of year that there was more business than usual for the Quarterly Meeting to attend to; the days were very short; if it was in Second-month as stated, that is the time when all the queries are answered, and the reports made out for the next ensuing Yearly Meeting. There were however, strenuous efforts, I think, made by a few individuals in the Quarterly Meeting, to have her admitted, at all events; but it was strongly opposed by the great body of the meeting, and therefore, it was suspended at that time. But if I have a distinct recollection of the circumstances after the business of the Quarterly Meeting was got through, information was sent into the women's apartment, that if the concern still remained with them, the way was then open for it. I think the messenger on his return, reported that she had declined, or something to that effect, and had sent, as I understood afterwards, rather an angry message to the meeting, that he did not choose to deliver in the terms she had expressed it. As to what I might have expressed on that occasion myself, I cannot now say; but I have very little doubt that I was opposed to her being admitted, in the forepart of the meeting. And I think I recollect saying something, after the messenger returned from the women's meeting, importing that I thought we had now sufficient evidence that she was not under a *right concern*, or in a *right disposition*, or something to that import.

Q. Were the business of the meeting and the shortness of the days the ground of the opposition to her visit?

A. I think, if I remember, that some gave that as a reason. I do not know to what extent.

Q. Was it the ground of *your* opposition to it?

A. I cannot say how I then felt; but I think it is likely it was *not*, together. I was disposed to exercise my own feelings on the occasion. But I don't know but what I was consenting to the message being sent to her, at the close of the meeting; and am inclined to think that was the case.

Q. What then was the ground of your opposition to her visit?

A. I cannot say what operated upon my mind at that time.

Q. Was not the message sent by Ann Jones, and which you have presented as "rather angry," in substance as follows, viz: that she could not move in so solemn an engagement, at the command of man, and so

apprehended the right time for the performance of what she believed to be her duty in that concern had passed by?

A. I cannot say all that she had told the messenger to communicate to the men's meeting; nor I don't think he communicated all that is there, to them, if my recollection serves. But if I remember right, there was, from what I heard afterwards, I think, in part from the messenger himself, and from some of the women Friends, something *more* than what has just been read to me.

Q. Can you state what that *more* was?

A. I cannot, altogether. But it seems to me it was in substance that those who had been the cause of preventing her at that time she wished to go, would have something to answer for, or something to that amount, I don't pretend to give the words.

Q. Were not both those women, Anna Braithwaite and Ann Jones, approved ministers in the Society of Friends, travelling with certificates of the unity and concurrence of their Monthly, Quarterly, and select Yearly Meetings?

A. They came from England; I believe with all the necessary credentials of this kind, so far as I know. But unfortunately for them, soon after their arrival here, they became warm partisans, and strongly attached themselves to that party called Orthodox, that tended to and finally produced the separation in the Society of Friends. Hence their labours, and more particularly, I think, that of Ann Jones, were not of that character that we had formerly experienced from those who came from beyond the waters, to visit this land in the love of the gospel. But were much of a nature calculated to "divide in Jacob and scatter in Israel." Frequent denunciations, and accusations, and criminations were poured out upon us, under Ann Jones' ministry particularly; preferring charges of unsoundness, and deism, and almost every thing that was bad, against a large portion of society, in many of the meetings which she visited. These things had an effect, as they were charges that Friends knew very well were not true in themselves, and therefore, not becoming a minister under a profession of preaching the gospel of Christ; and hence it was believed that her trumpet had given an uncertain sound. As I think I told her myself in an interview I had with her, under a concern to see her on a certain occasion. It is, therefore, not to be marvelled at, that way did not open to receive her in a large Quarterly Meeting, as freely as if she had kept herself more on the *neutral ground*.

Q. Was it then their opposition to the doctrines of Elias Hicks and his friends, which made them what you call "warm partisans of the Orthodox party?"

A. I have not, I believe, in my account of Ann Jones, said any thing about her doctrine, as it regarded any peculiar views which she might have; as that, I apprehend, is not now within the jurisdiction, nor ought not to be within the jurisdiction of any civil tribunal for them to determine upon; and, therefore, as it regards the charges of the party in opposition to Elias Hicks, so far, I think, as I have gone into it, I have merely stated facts.

Counsel. The question, I believe, is not answered.

Witness. Please to read the question. [It is read to the witness, when he further answers,] I did not then understand the question as in relation to Anna Braithwaite and Ann Jones. I believe there is no doubt but that they made great opposition to Elias Hicks, from what I have un-

derstood, and their charges against him were no doubt of that character. But the great body of Friends on this continent could not unite with them in the measures they seemed to have embraced against Elias Hicks. I think the question is fully answered, as well as I am able to answer it. But I may further state, that I believe, that the visit of those English women, and the part they had taken generally, in the course of their visit to this country, greatly tended to accelerate and finally to produce the separation that has taken place: not only in the Yearly Meeting of Philadelphia, but also in several of the other Yearly Meetings on the continent of America.

Q. At Concord Quarterly Meeting held at Darby in Eleventh-month, 1826, did you not, after Ann Jones had appeared in a testimony in the men's meeting, express your dissatisfaction with what she said, and desire all the elders of that Quarterly Meeting to meet that evening on the subject?

A. No, I think I expressed no opposition to Ann Jones, whatever, in that meeting. If I did, however, 'tis entirely gone from me. But she, and Elizabeth Robson, I think, who was there at the time, came into the men's apartment some time during the sitting, and they had pretty lengthy communications. As to Elizabeth Robson's, I don't remember so much about it; but Ann Jones's, or a great deal of it, was of that character, that I have spoken of in a former answer. She preferred high charges against some that might be supposed to be present in that meeting from the nature of that communication, calling them deists, or something that implied that; being led by a proud and Luciferian spirit; and made high charges against the elders on this extensive continent; stating, I think, that if they had been faithful, they would have put a stop to this proud and Luciferian spirit, that, according to her account, had spread so much in this land. It appeared to me to be of such a character, and such an outrage upon the meeting, some part of it rather of a personal nature, alluding to things she had heard in that house, that I thought it was high time the elders had exercised their faithfulness towards her; and more especially, as she had found fault with them for their unfaithfulness. I, therefore, after the women withdrew, I think, stated to the meeting, that I had a proposition to make, without mentioning any thing of the nature of it, but wished the meeting first to go through with the business. The meeting did so, and at the close of the meeting, I requested that the elders belonging to that particular Quarterly Meeting, might convene that evening. I think I was requested to name an hour, which was done; perhaps, seven o'clock was agreed upon: at which time, I think, there were fourteen, if I remember right, of the elders of the Quarterly Meeting, that convened on the occasion. A number of others that were then in attendance with their families, from a distance, were under the necessity of going home, and could not attend. I was requested (I should have said, these were all men-Friends; there was no women, nor no request made publicly for them to attend,) to explain the motive of thus convening the elders; and I called their attention to the purport of Ann Jones's communication. I thought, if these charges were true, it was time something was done, in a society capacity, perhaps. If they were not true, I thought there was an obligation rested on that meeting, or on the elders of that Quarterly Meeting, to take some care in regard to her. And I think, every individual, perhaps except one, that was then present, expressed some uneasiness

with her communication: that one, I think, the youngest man, I believe, in the company, and who had been but lately appointed to the station, expressed, that he felt very little, or perhaps, "if any," he said, uneasiness; he was known at that time to be a pretty warm partisan on the Orthodox side. There were, I think, four others, and I have no objections to mention their names,—Philip Price, Cheney Jeffries, (an elderly Friend, who has since deceased,) Benjamin Sharpless, and Nathan Sharpless, who were then considered as leaning to the Orthodox side: and when the separation took place, took that side of the question. But, I think, they all united in a prospect, that it would be right for some individuals of the company to see Ann Jones on the occasion. I told them I was willing to see her, for one; and, I think, I requested Philip Price to join me in the visit. He, however, made some excuse, I think, that it would not suit him, or something to that amount, I do not recollect particularly; I made inquiry whether Ann Jones was still in the neighbourhood, and I think we were informed, that she had taken her dinner immediately after the meeting, and was gone to the city, which prevented any opportunity being had with her at that time. It was then, I think, suggested, to consider what was best to be done, and if I recollect right, I think Philip Price recommended, that it should rest upon the minds of Friends, and if way opened for any individual, or individuals, they should take an opportunity with her. We therefore separated at that time, and several of them went home with me and lodged, among whom, I believe, were two or three of those that were considered of the Orthodox party, though then very moderate men. The elders of Darby, of which there were three besides myself, under that appointment, conversed on the subject, and we did not feel satisfied, that the thing should rest where it did. Inquiry was made, and we found that pretty soon after, she had left the city, so that we could not come at a personal interview, and therefore we thought best to write her a letter, expressive of the uneasiness she had given at that Quarterly Meeting, which we all signed, and I took it, and left it at her lodgings in Philadelphia, which letter, if it was proper evidence in the case, I have no objections to its being placed on record, but which, I suppose, would not be admissible.

Counsel. We have no objection to its being produced and made an exhibit.

The witness produces a copy of the letter of which he has spoken, and reads it.

The said copy, after being read by the witness, was offered in evidence, and by consent of the parties and counsel, marked by me Exhibit S, *ex parte* the complainant and Stacy Decow. (See Appendix.)

The witness proceeds. While on the subject of Ann Jones, I will add further.—I think it was the next First-day, if I am not mistaken, after she had received this letter, she, with her husband and several others, came out to Darby Meeting; and as if she thought she had not done her business well before, poured out another flood of declamation and imputation upon us, stating that she believed we had been led astray by wicked and designing men—that she had preached the gospel to the fishermen, the sailors, and the miners, in her own country—men that we would disdain, as she said, to set with the dogs of our flocks; and *they* would even blush at our conduct. And among many other things, I think she charged us with denying or undervaluing the scriptures; and that the heathen, who never had the scriptures, would go into

the kingdom of heaven before us, or something to this amount—and believe nearly the words that I have repeated, she did express. As she had charged the elders in our Quarterly Meeting with a neglect of duty, we thought it would be best to let her know, that we were willing to improve by her advice. And therefore, two of us came to the city soon afterwards, to have a personal interview with her. We called on her at her then lodgings, at Thomas Wistar's, and made her acquainted with our motive in calling to see her; and informed her, in the presence of her husband, Thomas Wistar, and his wife, that we had no objection to having any of her friends present, that were with her at that meeting in Darby, and which she expressed a desire to have. This was pretty early in the morning, and I think she fixed the hour for the interview at 3 o'clock that afternoon—at which time we attended. There were three other Friends, besides herself and her husband, who lived in the city; and I think we spent near an hour together, in which we opened our concern to her, and uneasiness that her last visit had occasioned. We perhaps at first inquired of her, whether she had received a letter that the elders of Darby had sent to her; and she said she had—and we told her, that if she had any reply to make to that letter, we were willing to hear it: but I think she said she had none, and made no remark further respecting it. I repeated to her, I think, as near as I can recollect, what I have repeated here, of what she had communicated in that testimony, and desired the other Friends who were present, if I was not correct, that they might correct me: but they did not object, I think, to any part of it. The interview was entirely a friendly one; we told her that Friends, in their particular meetings, were generally pretty well acquainted with the state of their own members: that we did not believe there were any such persons amongst us as she had endeavoured to point out; and therefore, "her trumpet had given an uncertain sound." We could get very little reply from her. I think she stated, that what arose in her mind, she thought it right to communicate; and there she believed she must leave it. And so we parted in a friendly manner, without receiving any further satisfaction from her.

By consent of the parties and their counsel, adjourned until Tuesday morning next, at ten o'clock.

Tuesday morning, December 21st, 1830. Pursuant to adjournment, the parties and counsel attended as before. Mr. Brown for Joseph Hendrickson; Mr. Price for the complainant, and Stacy Decow.

At 10 o'clock, A. M. cross-examination of Halliday Jackson continued.

Question by Mr. *Brown*. Had you spoken to Ann Jones privately, according to gospel order, before you called that meeting of the elders respecting her testimony in the Quarterly Meeting?

A. No, I had not: it was in the same meeting in which she had made these charges against some part of the meeting, which I suppose she thought was present; and it appeared to me to be such an outrage upon the meeting, that it required the attention of the elders that were then present; and therefore the request was made before the meeting closed.

Q. Was Ann Jones informed of the meeting of the elders of Concord Quarter, called by you, or of the charges intended to be then brought against her?

A. I have no knowledge of her being informed, but I have no doubt at all but she knew of the proposition being made in the meeting; as a

number of her friends were with her, and heard it made: and I believe she made her way to the city as soon as she conveniently could, after the meeting. Thomas Evans, I believe, was at that meeting, and told me, I think, in the yard, that he thought my proposition would not come to much, as if he might be conscious himself of the object that I had in view, although I had not stated in the meeting what the object was, if I remember right.

Q. Then she could not have been informed of the charges that were to be brought against her?

A. Not that I know of. The uneasiness which she occasioned was subsequently communicated to her in the letter which has been made an exhibit in this examination; and on inquiring of her if she had any reply to make to that letter, I think she said she had none; or at least, made no reply.

Q. In the meeting of the elders, did not yourself and others of your party express your opinion that Ann Jones ought to be stopped from the further prosecution of her visit; and was not a proposal made, that a committee should be appointed to give her that advice?

A. I don't recollect any such proposal as stopping of her, in the prosecution of her religious visit; and I think the letter fully shows that there was no design of that kind, but merely to caution her against what we thought a very improper liberty she had taken in dealing out her charges and denunciations against a large portion of the Society of Friends. But I think there was a proposal made, and I am not very certain about that, but I remember some objections being made to making any formal appointment to visit her; but if any individuals felt the way open for it, they should embrace such an opportunity.

Q. Did not Elias Hicks attend the Quarterly Meeting of Concord held at Darby, in which Ann Jones delivered the testimony which gave you so much offence?

A. Yes; Elias Hicks was there at that Quarter, and a large number of other strangers; more, I think, than I had almost ever remembered being at the Quarter at one time. I think Willet Hicks [See correction at the close] was there, and Edward Hicks, if I remember right: Townsend Hawkhurst, I think, from Long Island, Nicholas Brown, from Upper Canada, and several others were there: it seems to me there were one or two from Ohio.

Q. When she spoke of sentiments that she had heard uttered in that meeting herself, did you understand her to allude to what she had heard from Elias Hicks?

A. I could not tell to what she alluded; but she had had no opportunity of hearing any thing delivered among men Friends on that day, previous to her coming in amongst them; and I therefore supposed she must be alluding to something she had heard in that house in the meeting of ministers and elders the day previous, when Elias Hicks, I think, and Nicholas Brown, and perhaps one or two others, had something very solemn and edifying to communicate.

Q. Are the three other elders who beside yourself signed the letter to Ann Jones, of those whom you call Friends?

A. Yes; they were all of those that I call Friends, and remain to be so.

Q. Was not the "Berean," a work edited and published under the patronage of those you call Friends, and was it not generally approved

and circulated by them, as giving a correct view of the doctrinal differences which existed among Friends?

A. That seems to be travelling off the ground that we have been traversing. I can only say as to that work, that it was an anonymous publication, which neither the Society of Friends, nor any individual that I know of, was responsible for but the author himself: and how extensive its circulation was, I cannot tell; but I think I remember the first I saw of any of the numbers in circulation, was in the house of an Orthodox Friend, Nathan Sharpless's, at Concord. [See correction at the close.] He and several others that were convened there at the time of the Quarterly Meeting, several of whom were of the Orthodox party, so far as the distinction was known at that time, seemed to be much interested in the reading of the work. I might, previous to that, have seen the prospectus, or the first number, though I am not certain. I took the work myself, and I believe it was taken by some Friends; a number of Friends, perhaps, and by a great many that were not members of the Society of Friends. As it regards doctrinal differences, every Friend may have their own opinion on that subject; and as it regards opinions about doctrines, as I have heretofore stated, a temporal tribunal is not the proper place to judge.

Q. You then decline answering the question?

A. I decline giving any opinion upon doctrine, as irrelevant in this case, in my apprehension; and I had heretofore understood that no questions were to be put of that nature.

Counsel. I would remind the witness that his opinion of the doctrines is not the question.

Witness. And I therefore don't wish to give the opinion of others on that subject.

Counsel. Do you not know from your own knowledge, or from general repute, that it, "the Berean," was edited, circulated, and approved by those you call Friends?

A. I have no doubt but it was edited by a Friend, from the information I have had; and I believe it was read by a considerable number of Friends; and as far as I know, it was generally approved. But I wont undertake to say that it was approved by all that read it, for I don't know the fact. As I said before, it was a work for which the author alone was responsible. I cannot say how far Friends circulated it; I was not an agent for it myself, and therefore do not know.

Q. In a letter written by you to a Friend in Ohio, in First-month 1828, alluding to the differences in the society, did you not say to him, "there is a paper published in Wilmington, called the Berean, well calculated to spread light on these subjects; I should be glad it was circulated among you?"

A. I cannot recollect any thing about what I might have written to a Friend in Ohio, (as I have written many letters to Ohio,) unless I saw the letter. If I wrote a letter giving an account of the general state of Friends here, I have no doubt but I then wrote what I thought was the truth, from the best information I had.

Q. Will you look at this letter, and see whether it is yours?

Witness. Is it in my handwriting?

Counsel. No; it purports to be a copy of a letter written by you to a Friend in Ohio.

Witness. [Taking the paper, and after reading and examining it says,]

I cannot say whether this is an exact copy, word for word, of the letter written by me, but I have no objection to its being made an exhibit in this cause: I have myself no copy of the letter I wrote: I think it's likely this is a copy, as near as may be, though I cannot say as to the exact words.

The said paper was then offered in evidence on the part of the said Joseph Hendrickson, and marked by me Exhibit No. 40. [See Appendix.]

The witness further says, I would merely state, that at the time this was written, the numbers were not so fully ascertained as they have since been. I have therefore stated in it, the proportion to be more on the side of Friends, than they appear to be from a more correct enumeration. It also appears, that in two of the Quarterly Meetings in Jersey I have placed more on the side of the Orthodox than they have since turned out to be.

Q. Was not Doctor William Gibbons, of Wilmington, Delaware, the reputed editor and owner of the "Berean?"

A. He was reputed to be so. But, I think, in an examination of this kind it is hardly fair to draw out the names of anonymous writers. But, if our Orthodox friends will keep to the ground they have taken, and give us the names of but a small part of their anonymous publications, that go to destroy and lay waste the character of a large portion of the Society of Friends, I have no objections to the name being given in the present instance.

Q. Are you acquainted with Benjamin Webb, of Wilmington, Delaware?

A. I know the man, I have no intimate acquaintance with him; I have not been in his company for a year or two past, that I recollect.

Q. Previous to the separation, was he not well known to be one of your party, and strongly opposed to those you call Orthodox?

A. I think at that time he was rather considered on the part of Friends. But, I don't think he was so strongly opposed as some others might have been. I can tell very little about him. I remember once, however, being at the Monthly Meeting of Wilmington, when he seemed to take rather a neutral ground, on some subject which was before the meeting, that had some bearing on the state of society; but what that subject was, I cannot now remember.

Q. He is still a member, is he not, of the society to which you belong?

A. I have never heard of his being disowned.

Q. Do you not know that he is still a member?

A. I can only say that I know nothing to the contrary; I have not heard of his being disowned.

Q. Was he not the principal agent for the "Berean" for some years before that paper was given up?

A. I think if my recollection serves me, he was advertised in that paper, as general agent, perhaps, for it.

Q. Was the meeting at Wilmington, a branch of Concord Quarterly Meeting in 1826?

A. Yes, it was so; and remains to be so.

Q. Since the separation, have not Benjamin Webb and others of those whom you call Friends set up a newspaper, called the "Delaware Free Press," which is published weekly at Wilmington?

A. I don't know any such circumstance from my own knowledge, have never saw such a paper, that I know of.

Q. Have you no general repute in relation to that matter ?

A. I suppose the counsel will now be willing to withdraw his objection to that part of my testimony, which is founded on repute or hearsay.

The counsel explains between hearsay and matters of general repute.

The witness is at a loss to draw the distinction between matters of general repute and hearsay testimony, but further answering, says—I can answer the question so far as I know—I have heard some talk of such a paper being published, and that Benjamin Webb was somewhat concerned in it : but as to the paper itself, I know nothing about it, as I have never seen one.

Q. Does common repute go so far as to give any other person of the description alluded to, in the question, a concern in that paper ?

A. Well, I have not knowledge enough on the subject either from hearsay, or in any other way, to say whether there is more than Benjamin concerned in it, or not.

Q. Is it not generally reputed that that paper advocates the sentiments of Frances Wright, Robert Dale Owen, and others of that school ?

A. Well, as I have never seen one of those papers, I will not undertake to say what it advocates.

The question is again read to the witness, when he further says, I have had very little information on the subject of that paper : perhaps, I might have heard it said, that some who were in favour of that paper, or otherwise concerned in it, might have attended Fanny Wright's lectures. If I had seen that paper, and was acquainted with its contents, I should be willing to tell you all that I knew about it.

[NOON.]

Q. Have you no further information in relation to that paper, than you have stated, either by common reputation or otherwise ?

A. No, I cannot say that I have any further than what I have stated; any more than that the Society of Friends do not approve of that paper, as a society, as I learn from common report; neither do they approve, I believe, in the least, of the views of Fanny Wright or this Owen that is spoken of, which was hinted as being advocated in that paper.

Q. By common repute do you not know that there is a considerable number of those you call Friends at Wilmington, who unite with Benjamin Webb, and uphold him in the avowal of his sentiments ?

A. I do not know that there is; I apprehend that the number is very small that will uphold him in any sentiment going to espouse the views of Fanny Wright, if such are his views. As to his sentiments generally, I am not acquainted, for I have not had an opportunity of knowing, or judging for myself.

Counsel. It appears that the witness does not understand the question, which is not, what are the sentiments of Benjamin Webb, but whether by common reputation these are not those of the persons named in the question, who do unite with, and uphold him in, the avowal of his sentiments ?

A. I thought I had answered that question already, when I said I believed the number was very small, from any information I had on the subject.

Q. Then there are some of those you call Friends that do unite with in sentiment?

A. I have no knowledge of that circumstance, only from hearsay; I only tell what I know, and, I think, from the best information I have. A Friend in Wilmington told me, there were not more than three or four that seemed to unite with Benjamin Webb, or in favouring those papers that, you say, have been held up in that paper alluded to. It is a subject that I know very little about; therefore, can say but little.

Q. Were you one of a committee of your Quarterly Meeting which attended the Monthly Meeting of those you call Friends held in Wilmington on 29th of Tenth-month last, when Benjamin Webb declared himself to be one of the editors and proprietors of that paper, and avowed and defended the principles which it teaches?

A. I was on the committee of the Quarterly Meeting, but I was not there at that time; and, therefore, can give no account of that circumstance. I think it is the first I have heard of it. I was on a journey over the mountains in that month, and if I had got home, I had but just got home, and I did not attend with the committee. I was there in attendance with the committee, the month previous to that, I think, and had a very comfortable Monthly Meeting. There was no such subject then agitated in the meeting, nor any thing of that nature, that I recollect.

Q. By general repute, do you not know that he has published in the fifty-fifth number of his paper, an account of the transactions that took place in that Monthly Meeting, i. e. 29th of Tenth-month last?

A. No—I know not any thing about it. I have not heard, before its being agitated here, any thing of that circumstance.

Q. After a meeting held at Byberry in Eleventh-month, 1826, did you, in the hearing of several persons, address an acknowledged minister, who had appeared in a testimony in that meeting, with these words: "There has come here this morning with a lie in thy mouth?"

A. I suppose about that time, I don't remember, but about that time was at that meeting—and to give an account of the circumstance, I must give a little account of that meeting. George Jones and Ann were there, William Evans, and some others, I think, that were not members. Ann Jones had poured out one of those kind of sermons or communications, a little similar to what I have described at Darby meeting, which contained a good deal of declamation, as I thought; charges of unsoundness, &c. which I can't at all remember to describe; however, it seemed quite as much as the meeting was able to bear. After she had done, William Evans, I suppose, thought it was not quite well enough done, and he would try to do it a little better. He made similar charges of unsoundness, &c., and among other things, I think, stated, that it felt him as if the very air was tainted with the breath of infidelity, as he passed through the country, or nearly those expressions. I felt very much tried with it, and I confess I felt a little warm. After meeting, I saw one of the elders [see correction at the close] of that meeting, and was talking to him in the yard, and I thought he (William) seemed to be pretty warm. I stepped up to them, and, I think, I said to him, that I believed he had come to that meeting with a lie in his mouth—that the divine spirit had never authorized him to preach such doctrine—and called on him to say who were these people, or where were they to be found, that held these principles." He immediately called to his

brother Thomas, who was a little way off, I think, and told him what I had said, at which they both got pretty warm. After I left him, and before he left the yard, another elder of that meeting, as he afterwards told me himself, took an opportunity with him, on the subject of his communication; but what passed between them, I do not know, only that this elder was very much dissatisfied with what was said in the meeting. I did not feel entirely satisfied myself with the manner of my speaking to him. I believe it was the only time that I can recollect, that I had felt any warmth on an occasion of that kind; and I mentioned to this elder that had last spoke to him, that I thought I should feel better satisfied, to make some apology to William Evans for the manner of my speaking to him, but I could not take back any of the force of it. But his reply was, "he would not have me to do any such thing; that he had not got half as much as he deserved." I, however, some time, not long after, met William Evans in the street, and spoke to him with a view of stopping him, in order to have some conversation on the subject, but he would not stop, nor take any notice of me; and seldom since, when he meets with me. I therefore thought I had done all that was necessary on my part—and as the Orthodox, in one of their anonymous publications, which was generally called "Evans's Pamphlet," have held up this circumstance to public view, to the injury of my character, I am now glad they have elicited this opportunity of a full explanation of the subject.

Q. Was the elder, of whom you have last spoken, one of those whom you call Friends?

A. Yes. Very few of the members of that meeting but what were so, and remain to be.

Q. Were you, at the time referred to, a member of Byberry meeting, or of the meeting to which William Evans belonged?

A. No, I was not. But I heard what he had to say myself. I did not depend on the report of Comfort, or Bell, or Whitall, for things that they had heard at a hundred miles distance.

Q. Did Thomas Griswold inform you of what transpired in the private interview between Jonathan Evans and himself?

A. I am not so certain. But my impression is, that we had a conversation on the subject. He passed through our neighbourhood on his way home, and I was in company with him; and the subject had become very much known. Thomas Griswold was very much hurt, cast down, and discouraged; and, I believe, made the best of his way home pretty soon.

Q. In giving the information which he did give you, did he state that Jonathan Evans had "severely reprimanded him?"

A. As I have stated before, I cannot be certain as to the conversation that passed between Thomas Griswold and me; but if he did not tell me so, I certainly heard it from others, who had had conversation with him. It is now several years since, and it is impossible to recollect exactly what passed.

Q. If Jonathan Evans was dissatisfied with any thing Thomas Griswold had said, was he not discharging his duty as an elder, according to gospel order, in thus privately expressing his uneasiness to him?

A. He certainly had a right, as an officer of the meeting, to impart his uneasiness, if he felt any. But the manner of doing it, and the nature of the subject which he was finding fault with, as it is understood

Thomas was holding up the doctrine of the necessity of love and unity, seemed to be rather a singular kind of complaint, that such doctrine should not be admissible among Friends—this, I believe, was what gave the uneasiness to Thomas Griswold, of which he complained.

Q. Do you know that it was the preaching of love and unity which occasioned the uneasiness of Jonathan Evans, and led to the interview between them?

A. I don't recollect that I have ever heard of any other charge that Jonathan made against him at that time—as to my own knowledge, I do not know.

Q. When an elder thus privately admonishes a minister, is it consistent with the order of society, for such minister to report what passed, to other persons?

A. I don't recollect that there is any discipline to prohibit a minister, when he thinks himself aggrieved, from communicating it to some of his friends. You have the discipline, I must refer you to that.

Q. We speak of the usages and order of the society, and not of the discipline?

A. I can't say how far this usage has been exercised; but, I believe, it has very frequently been done; and I have frequently myself heard eminent ministers in the society, relate circumstances where the elders have spoke to them on certain occasions, without any intention of hurting the standing of the elders, or any implied breach of order.

Q. The question is, would it be consistent with the order of society?

A. As I know of no positive discipline in the case, and have stated what I do know of circumstances of that kind, I shall not undertake to say whether it is consistent or not consistent with the order of society.

Q. Was what you have stated, the settled practice of the society, previous to their being any differences in the society?

A. I cannot say, as to any settled practice. That depended very much I believe on the disposition of ministers as they felt a liberty to communicate with their friends; and I have known instances of it within my recollection long previous to the late disturbances that have occurred.

Q. About what time was it that you first heard of the existence of such a minute as that you have read from the extracts of 1761.—(Exhibit D.)

A. I was about to state when I made an exhibit of that minute, that the first I saw of that identical paper was at Joseph Turner's, which I think was last Fifth-month, when I was down at the southern Quarter; but I had seen the minute in print, that part of it which relates to the "Meeting for Sufferings," long previous to that: I think it was published in the Berean, if I remember right, and perhaps too in the "Friend, or Advocate of Truth." I am not certain as regards the latter; some time, not a great while, after the circumstances happened, of the Meeting for Sufferings rejecting the representatives from the southern Quarter, I cannot say how long after.

Q. Had you ever heard of the existence of the minute before the circumstance to which you allude, occurred?

A. No, I think I had not. It was discovered among some old meeting papers, as I have understood, after that period. If it had have been known, or discovered in that Quarter, previous to the southern Quarterly Meeting, which the committee from the Meeting for Sufferings attended, I think it probable it would have been produced at that meet-

ing, to refute the ingenious arguments that were then made to induce the southern Quarter to believe that the Meeting for Sufferings was a permanent body; although without that minute they had sufficient discipline to support them in the liberties they had taken to change their representatives in the Meeting for Sufferings.

Q. How long before the change made by the southern Quarter in its representatives in the Meeting for Sufferings, did you know that such a measure was contemplated, and that you were to be one of the new nomination?

A. I did not know that I was to be one of the nomination previous to the Quarterly Meeting, when the nomination was made. And I do not recollect that I had any certain knowledge of the fact, until I received the minute soon afterwards. I had not been down at that Quarter, never, but once in my life, previous to that period, and had not a great deal of intercourse with any of the members of it. There were two or three that came up to the Yearly Meeting, that I had some intimacy with. With regard to the other part of the question, I have no certain knowledge. I remember once, some considerable time before, I think it was, but can't fix the date, one of the members of that Quarter, that I met with in Philadelphia, was mentioning to me, that one of their representatives had a wish to be released, and I think he inquired of me, if I could think of a suitable person in Philadelphia, that I could recommend to serve them in that appointment; and I think I mentioned to him, that I thought Doctor Joseph Parrish was a well qualified person for that service. But this, I think, must have been some considerable time before this general revision of their representatives was contemplated or acted upon. I cannot recollect when I first knew that the change was contemplated; or that I knew it at all before it was made.

Q. Have you stated all that you know or recollect on that subject?

A. I think I have. I think its altogether possible I may have heard some dissatisfaction expressed, or at least that it had been expressed by some of the members of that Quarter, with regard to two of their representatives in Philadelphia, who had taken an active part in the measures that were carried on in Philadelphia, by the elders, against Elias Hicks; contrary to the judgment of the great body, and nearly all the active members of the southern Quarterly Meeting, who had come forward with their names subscribed to a certificate that went to lay waste the charges of Comfort and Bell respecting Elias Hicks' services at that Quarter.

Q. Had you not previously had conversation with Abraham Lower on the expediency of the proposed change?

A. I can't recollect any conversation that passed between Abraham Lower and me on the subject; but I think its more than probable I had heard Abraham converse on the subject. It had become a thing so notorious, the conduct of those elders, that for a time it seemed to be a very general subject of conversation. I think I now recollect hearing Abraham say, that he had a wish to be released from being a member or representative from that Quarter; that he had but little satisfaction in the Meeting for Sufferings in the way that things were carried on at that time, or something to that import, and he thought he should go down to that Quarter, and request to be released.

Adjourned until 10 o'clock to-morrow morning.

Wednesday morning, December 22nd, 1830, at 10 o'clock. Cross-examination of the same witness continued. Present the same as yesterday.

Question by Mr. *Brown*. Previous to the change being made by the southern Quarter, had you no reason to expect that you would be one of the new nomination?

Answer. I don't know that I had any reason to expect it. I know I was not seeking of the office, and I think no Friend of that Quarter had told me that they had any view of appointing me as their representative.

Q. Without your having sought the office, you may have had some reason to expect to be on the new nomination; it may have been intimated to you by some one. Was or was not that the case?

A. I don't recollect any conversation that passed between me and any member of that Quarter on the subject, that could give me any reason to expect it.

Q. Had you any reason to expect it?

A. Well, I told you all I could recollect; and as to any *reasons* which might sway a person's mind, I don't think we have any thing to do with that subject at all.

Q. I understand the witness then to answer the question negatively; that he had no reason to expect he would be on the new nomination?

A. Yes; and I will further add, that if I had been told by a member of that Quarter, that they had a view of appointing me to that service, I think there would have been no impropriety in it at all: and I should have been willing to have told you all that passed.

Q. What was the cause of the dissatisfaction with Caleb Peirce and Isaac Lloyd, and which occasioned their being displaced from the Meeting for Sufferings?

A. I have never understood any other cause than the one that has been already stated; which was, their uniting in this combination of elders in support of the charges made by Comfort and Bell against Elias Hicks, for some things that they reported he had delivered at the southern Quarter; and which the members of that Quarter generally justified him in, by signing a certificate to that effect. I believe that as Caleb Peirce and Isaac Lloyd were directly in opposition to the views of that Quarter, they could not consistently continue them as their representatives in the Meeting for Sufferings. They therefore exercised their rights and privileges in making the change they did.

Q. Was Isaac Lloyd at that time a member of what you call the Philadelphia combination of elders?

A. At the time this combination of elders was formed, in 1822, Isaac Lloyd, I believe, did not approve of their proceedings; and as I have before stated, he stood as the friend of Elias Hicks, and went with him to the meeting of the elders. But at some period between that time and 1826, when he was released by the southern Quarter, he had changed his views with regard to Elias Hicks, as was evident in the opposition made to him in Pine street meeting, before spoken of. It had been known, perhaps, for some year or two before that circumstance took place, that Isaac Lloyd had been supporting the views of the elders against Elias Hicks; and therefore I think it might justly be said that he was one of that combination.

Q. How was that support manifested?

A. I gathered it from common repute: it was pretty generally known at that time of day how individuals in conspicuous stations in the society stood.

Q. I understand you to say that it was the common reputation that Isaac Lloyd supported the views of the elders: my question was, how and in what manner, by what acts or proceedings on his part was this support manifested?

A. I don't know that I can recollect or recognise any public act, previous to the one in Pine street meeting, which we have spoken of: but common report justified what I have stated; that he had become warmly opposed to Elias Hicks.

Q. Previous to 1826, had you ever known any Quarterly Meeting to make a change of its representatives in the Meeting for Sufferings, except in cases of death, resignation, or neglect of duty?

A. I have not had any means of knowing from any historical facts, as I was not a member of the Meeting for Sufferings; but there was one circumstance which I heard of, that I think occurred not a great while previous to that time. Enoch Lewis, who resided in the western Quarterly Meeting, was a representative from that Quarter to the Meeting for Sufferings: he removed his situation to Wilmington; and I think I was informed, that on his leaving that Quarter he did not request to be released, but rather informed the meeting that he was going away, but it did not follow of course that he could not serve them in that appointment, or something to that import, which convinced many of the members of that Quarter, as I have heard several of them since say, that he did not wish to be released, but was rather desirous to retain his seat in the Meeting for Sufferings. They, however, took up the subject subsequently, and did release him, and appoint another in his stead. And I have heard that when the minute of the new appointment came forward to the Meeting for Sufferings, Jonathan Evans expressed much regret at the releasement of Enoch Lewis. I don't know that I can give any other instance that has come to my knowledge, of that kind; but I suppose the western Quarterly Meeting considered it in the same light that they had the right to release one of their representatives, or to release their representatives without their request.

Q. In the instance which you have given, the suggestion on which the western Quarter acted in releasing Enoch Lewis, came from himself?

A. I never understood, either then or since, that he requested to be released.

Counsel. So I understood; but he suggested that he was about to remove.

Witness. Yes; he informed them that he was about to remove; and from what he then expressed, they received the impression that he was still willing to serve them in that capacity: and as he was coming near to Philadelphia, it would render it still more convenient for him to attend to that duty.

Q. Was it in reference to the situation he held as representative of that Quarter in the Meeting for Sufferings, that Enoch Lewis made the communication to which you have alluded, to the Quarter, of his intention to remove, or having removed?

A. As I was not at that Quarter, I cannot say whether it was in reference to that circumstance altogether, or whether he might have been under some other appointments in the Quarter. He was an active member

ber; was for many years clerk of that Quarterly Meeting; whether he continued as clerk at the time of his removal, or not, I cannot say; but I am well satisfied, from what information I have had from several members of that Quarter, that he did not make any thing like a request to be released from standing as their representative in the Meeting for Sufferings.

Q. That subject, however, was mentioned in connexion with the subject of his removal?

A. Yes; I have stated before, I believe, that it was so: that he had mentioned the circumstance of his removal; but that it did not follow of course that he could not continue to serve them in that capacity, or to that import: and I can further state as to my own knowledge, as to the former practice of that Quarter, being a member of it myself from the time of my birth until I was more than thirty years of age, that they had sometimes had a part of their representatives, I think, appointed in Philadelphia, which was no unusual thing in those Quarters remotely situated.

Q. What was the date of this releasement, as near as you can recollect?

A. Well, I cannot say as to the year. I should suppose it was somewhere between the year 1822 and '26: possibly, might have been previous to 1822, but I have no recollection of the year it was in.

Q. Before 1823, did you ever hear it contended, that Quarterly Meetings had the right to change their representatives in the Meeting for Sufferings at their pleasure, and without any alleged cause?

A. No; I don't recollect of any circumstance ever occurring that brought such a subject under discussion. Neither did I ever hear it previous to that period, or I think to 1826, contended that the Meeting for Sufferings was a permanent body.

Q. Since 1806, has the Yearly Meeting ever decided, that the Quarterly Meetings had a right to displace their representatives in the Meeting for Sufferings, at pleasure?

A. I never remember any subject of that kind coming before the Yearly Meeting; for, I suppose, it had never been thought of by any Quarterly Meeting, that they had not that privilege, if occasion required them, to change their representatives at their pleasure. I say, I suppose that such a thing had never been thought of until this new doctrine was held up in 1826, that they were a *permanent body*, which could not be changed by their constituents without their request, or, as in cases of delinquency, which is pointed out in the discipline.

Q. Is not the Yearly Meeting the only body competent to make or amend the discipline?

A. Yes, I think they are so. It is so.

Q. When you presented the minutes of the southern Quarter to the Meeting for Sufferings, appointing yourself and others, in place of Isaac Lloyd and Caleb Peirce, how many members of that meeting advocated those minutes being received?

A. I cannot say how many did. I remember there were several spoke.

Q. Who were they?

A. Well, I don't know that I can remember many names; there were several country Friends that I did not know. I remember Joseph Bassett, a Friend from Jersey, was one: it seems to me Isaac Parry was one:

and there were a number more I will not undertake to name, as I do not remember them.

Q. Name such as you do remember.

A. Isaac Jackson was there, in attendance at the same time with a minute from the Quarter of which I was a member; I think he spoke, either then, or on the second time that I attended. And I remember hearing from several Friends afterwards, who had known how things had been carried on in that meeting by a dominant party in it, that it was scarcely worth while for them to give a sentiment in opposition to that party; and indeed it appeared to me, from what little I discovered of their proceedings during the short time I was permitted to be in the house, that there were, comparatively speaking, but a few that did govern their proceedings, and those mostly and principally confined to the city of Philadelphia, with but few exceptions, as far as I discovered.

Q. Have you mentioned the names of all those whom you recollect to have advocated the reception of those minutes?

A. Well, I have not a clear recollection about it; those who I have mentioned seem to be the clearest in my recollection. I cannot undertake to say who the others were.

Q. Were they (those who advocated the reception of the minutes) of the party that you call Friends?

A. There were many of the Meeting for Sufferings, strangers to me at that time, that I could not say then to what party they belonged. I think all those that I have named, were those that are with Friends. I now recollect a conversation with two of the members, I think, perhaps, but one of them a member, but the other a Friend, after the meeting that day when we first attended; and the one, that I am satisfied, was a member of the Meeting for Sufferings, and was then considered a pretty eminent minister in the society, gave it as his sentiment, that the Quarterly Meetings had the right to exercise that privilege: however he might have stood on neutral ground at that time, he has since come out pretty warmly on the side of the Orthodox, as I have understood.

Q. Who was he?

A. It was David Cope.

Q. Do I understand you to say, he expressed that sentiment in the Meeting for Sufferings?

A. No: it was in conversation afterwards; but, I think, on the same day.

Q. Who else was present besides yourself?

A. There was a relation of his, I think, if my recollection serves me, Benjamin Cope. [See correction, at the close.] I cannot be so certain about his expressing that sentiment in the Meeting for Sufferings, whether he did or not, but am rather under the impression that he did. The conversation, however, in which he expressed it, I well remember. My impression is, that Benjamin Cope was present, and another Friend also, who was a member of the Meeting for Sufferings; and who, either then, or subsequently, expressed to me his belief that the Quarters had that privilege; and I was well satisfied that he did not approve of the proceedings of the Meeting for Sufferings, in rejecting that appointment. He is also on the side of the Orthodox, and his name is Jeffery Smedley.

Q. Did the Meeting for Sufferings ever reject the nomination of the

southern Quarter, or was not the whole subject left open on its minutes, and brought before the Yearly Meeting for its decision?

A. We certainly considered, that it amounted to an objection, or rejection, when they objected to our remaining in the house. We were not so fond of an office as to remain, and to defend our rights, until we were taken out by physical force: and if they did not mean it as a rejection when that committee from the Meeting for Sufferings attended the southern Quarter, and found that that Quarter were determined to support their rights, they could then have easily informed the Quarter, that they would withdraw their rejection, and permit their representatives to have a seat in the Meeting for Sufferings, which they were justly entitled to, according to discipline and all former practice, when such newly appointed members attended and produced minutes of their regular appointment.

Q. Have you become acquainted with the substance of the minute made by the Meeting for Sufferings upon that occasion, and if so, did it amount to an adjudication, that the representatives appointed by the southern Quarter were not entitled to seats in that meeting, or did it merely refer the subject, as one of doubt and difficulty, to the Yearly Meeting for its decision?

Mr. Price. I hope you will let us have the minutes, as the best evidence.

Witness. Yes, I should like to have the minutes here. I have not any further acquaintance with the minute, than I stated in my testimony in chief; and hearing it but once read, I cannot undertake to state the particulars it contained. But I do not recollect that it stated any thing in regard to referring the subject to the Yearly Meeting—that was an act of the Quarter.

Q. You have spoken of a committee having been appointed by the Meeting for Sufferings upon that occasion; did not that committee propose to the southern Quarter, a joint reference of the whole case to the Yearly Meeting?

A. I do not recollect that they made any such proposition to the southern Quarter; unless it was after the Quarterly Meeting had determined on carrying the case forward to the Yearly Meeting. They might then have made some acquiescence, when they found they could do no better—but, I think, the whole drift of their arguments was to induce that Quarter to go into a conference with them, perhaps by appointing a committee to have, as they said, the matter amicably settled. But the Quarter knew too well their rights and privileges, guaranteed by the discipline, to be drawn into any compromise of that kind; and therefore unanimously resisted it, so much so, that I told Samuel Bettle after the meeting broke up, “that it was a hard case indeed that he could not make one proselyte in all that Quarter.”

Q. You state, that in the very nature and constitution of things, the body that has a right to choose, has also a right to remove at their pleasure; are not the judicial officers of our government, after being once appointed, subject to removal, only by death, or by conviction of being guilty of a misdemeanor, upon impeachment?

[NOON.]

A. I meant my former answer to apply to our society, and expected that it was so noted. I can further state now in reply to the question,

that there is no parallel between the civil officers of government, and the members of the Meeting for Sufferings. The officers of our government are, I suppose, generally salary officers, and by their commissions, some of them hold their offices during good behaviour, or so long as they are consistent with the views and interests of those who appoint them. But members of the Meeting for Sufferings, I consider more in the nature of agents, being appointed for a particular purpose; and, therefore, subject to be withdrawn, or removed, at the pleasure of those who appoint them. Appointments of this sort in the society of Friends, are considered more in the light of service, for which they have no stipulated salaries, they not being supposed to be offices that are to be sought after by individuals; when they are released from such services, it is rather considered the burden is taken off them.

Q. You have stated that the extracts from the writings of ancient Friends, which were read in the Yearly Meeting of 1823, from the minutes of the Meeting for Sufferings, produced considerable excitement, from the *design* for which they were intended to be used; what was that *design*?

A. I can only speak from my own observation at the time, and from some previous circumstances that had occurred; from some information, I think I had obtained, and the manner in which they were got up in the Meeting for Sufferings, which had by some means got out, and a good deal talked about, previous to the Yearly Meeting; it went to inculcate an idea that they were intended to be made use of in the nature of what is commonly called a creed. And, I think, if I have a right idea of the circumstance, that the dissatisfaction which they were likely to produce, or perhaps the apprehensions which Jonathan Evans, and probably some others, might have had of those who had been favourable to their publication, that it would not do to publish them without the sanction of the Yearly Meeting; which, I apprehend, was the original design, when they were first sanctioned by a part of the members of the Meeting for Sufferings; and I have been induced to believe from one circumstance, that it was not generally known to the members of the Meeting for Sufferings that they were recorded on the minutes of that meeting, until they heard them read in the Yearly Meeting. And the circumstance to which I have alluded is this, that in conversation with Samuel Bettle in the meeting house yard, after the rise of that sitting, I think he told me that he felt tried when he came to read them, that he did not know they were on the minutes. That induced me to believe, or at least to suspect, that it was a manœuvre of Jonathan Evans, who was clerk of the Meeting for Sufferings, to place them on the minutes, in hopes that they might pass, and apparently get the sanction of the Yearly Meeting, as those minutes had generally done, without many observations being made respecting them. But the reverse was the case, as already stated; they produced a great excitement; and, if I remember right, I think the first that spoke, was one who might be considered a pretty substantial and solid old Friend from the country, who cried out, "who hath required this at your hand?"

Q. When the Meeting for Sufferings sanctions the publication of a work, as containing the doctrines of the Society of Friends, is it considered that such sanction and the subsequent publication of the work constitute the contents of that work what is called a creed?

A. I don't recollect that I ever knew of a Meeting for Sufferings bring-

ing forward any work exactly of the nature in which this appeared to be presented to the Yearly Meeting. It appeared to be made up of *scraps*, I may call it, taken out of perhaps various authors in the Society of Friends; and, I think, there was not reference made to the books and authors from whence it was taken, and therefore it was presented more in the form of a work that was got up by the Meeting for Sufferings, and in that point of view, it had more the appearance of a *creed* than any thing that I had previously known to come before the Yearly Meeting, as it related to matters of faith and doctrine. I think, if I remember right, Abraham Lower perhaps expressed some views in the Yearly Meeting, that there could not be so much objections to the sentiments it contained, as they stood in the authors from which they were said to be taken, and taken in connexion with their contexts, and other parts of their writings, as there was to the form in which they were then presented, or something near to that purpose. The Meeting for Sufferings, I think, had a right to reprint any books or works that had been sanctioned by the society, as they had originally stood, without consulting the Yearly Meeting on the subject. I cannot think that their republication of "Barclay's Apology," for instance, William Penn's works, or George Fox's book of Doctrinals, and many other works of that nature, would be considered as imposing a creed on the society. They were works given by individuals for the general benefit of society.

Q. At the Yearly Meeting, were not the extracts opposed by some of those you call Friends, on the ground of the doctrines they contained?

A. I do not recollect that there were any particular doctrines pointed out,—there was a great deal said: I can't pretend to remember who spoke on the subject, or what was said particularly, except the few instances I have mentioned. I think I did not say any thing on the subject myself; if I did, it has entirely escaped my memory. But it certainly produced more excitement and unsettlement in the Yearly Meeting, than I had ever seen or known on any former occasion. I remember, what I should call a pretty stiff Orthodox minister, telling me soon afterwards, that he did expect to have heard the clerk stopped before he got half through with reading it.

Q. Did not an individual, since very active in your party, pronounce the extracts to be "contrary to reason, scripture and revelation?"

A. I do not recollect that I ever heard any individual make use of any such expressions as that respecting them. If you would give me the name, it might bring things to my recollection.

Q. Do you not recollect that a person in that meeting objected to the text, that "there are three that bear record in heaven," as being spurious, and the doctrine inculcated in that text as being unsound and irrational?

A. I have no recollection of any such expressions. Yet there might have been.

Q. I understand, that all you have stated with regard to Jonathan Evans's designs in relation to this matter, to be merely your own surmise; if there be other foundation for it, I wish you to state what it is?

A. My own surmises on this subject have been corroborated by some intiments that I have heard from others; and perhaps the strongest and to produce a surmise of this kind was, that it was generally expected, from what had transpired after these extracts were got up in the Meeting for Sufferings, that they would be immediately published. I

think it was known that they were printed; and, I think, I was then informed that a Friend went to Jonathan Evans, and told him, if they published them, that there would be counter-extracts taken from the same authors, which would be published,—and it was supposed that that alarmed Jonathan Evans, and might have been the cause of their delay until they got the sanction of the Yearly Meeting.

Q. From whom did you get that information?

A. I think, I got it from more than one. Isaac T. Hopper was one that told me; but he was not the person that went to Jonathan, I think.

Q. You have stated, that it was feared that there was a design to impose the extracts on the society as a creed; was any such *design* expressed on the minutes of the Meeting for Sufferings, or by any of those who approved the extracts?

A. No, I think not. Jonathan Evans and his party understood their business much better than that,—to let their *design* appear on the minutes of the Meeting for Sufferings. But the great body of society was fully awake to their interests and religious privileges, and rights of private judgment, to be imposed upon in that way, without their so expressing their *design*.

Q. Were there any other facts or circumstances than those you have mentioned, from which you ascertained that such was their design?

A. There were some circumstances in relation to the manner in which that document was got up in the Meeting for Sufferings, which I have heard by some means or other.

Counsel. I ask for the witness's knowledge of any other facts or circumstances, &c.

Witness. As I was not in that meeting, I cannot speak from my own knowledge of any other facts or circumstances, than those mentioned; I can only speak from hearsay and common report. I have been informed by at least two of the members of the Meeting for Sufferings that that document was introduced rather in an unusual, or perhaps, voluntary way, by Jonathan Evans: and perhaps it was first considered in a forenoon sitting, I think, of that meeting. There were many Friends opposed to it; and continued their opposition until they apprehended the subject was put by, and apparently it appeared to be put by, at that time; but it was brought forward at a subsequent sitting, and seemed to be urged with such strong efforts, as made them believe that their opposition would be of no avail, or no regard paid to their sentiments. There seemed to be a determination of the few zealous advocates for it to carry it over the heads of all that were opposed to it; and, therefore they let them take their own way.

Q. Who were the members of the Meeting for Sufferings, that gave you this information?

A. I think, I have had it from Abraham Lower, and John Comly; and perhaps some others, I don't remember to name now.

Q. According to the information which you have obtained, how many of the Meeting for Sufferings objected to the extracts?

A. I cannot remember that I ever heard the number spoken of, but there was a considerable number.

Q. In drawing up the answers to the queries in the Quarterly Meeting, has it not always been the practice to conform the answers to the reports brought up from the subordinate meetings?

A. Yes; it has generally been the case; and where there are a number

reports to form a general answer from, it is generally believed right to form that answer, as nearly as may be, to correspond with the unexpressed views expressed in the particular answers.

Q. When ministers are travelling with the concurrence of their meetings, and their certificates are read in meetings for discipline which they attend, is it not considered, such ministers are embodied with the meeting, and have the privilege of taking part in the business that may come before it?

A. It is considered that they have the privilege of exercising their gift, and of expressing their sentiments on subjects that may come before the meeting. But, I think, it would not be considered that they were so embodied with the meeting, as to be appointed to certain services as members of that particular meeting.

Adjourned until ten o'clock to-morrow morning.

Thursday morning, December 23d, 1830, at 10 o'clock. Cross-examination of the same witness continued. Present the same as before.

Q. They may take a part in the business of the meeting, then; but are not eligible to certain appointments, as members are?

A. Yes, as I understand it. They are not eligible to certain appointments, as members, but excepting that, they may take a part in the business of the meeting; so far as is consistent with the concern that they may have on their minds.

Q. In the select Yearly Meeting of 1827, did not William Jackson distinctly propose, that a committee should be appointed to visit the subordinate meetings?

A. I did understand him at the time, and I believe he was so understood by many other Friends, as confining his proposition of appointing a committee to visit the Quarterly and Preparative Meetings of ministers and elders of Philadelphia, from whence the complaint came. There was a number of other Friends spoke to it, as I have stated in my testimony in chief, who seemed to think that the visit ought to be general; and I think, after very considerable opposition was made to it, I think the visit was confined to that Quarter, as I at first understood the proposition to be made. I expressed myself that I had no objections to a committee being appointed to visit that Quarter; for I was very well satisfied that they stood more in need of help, and the care of the Yearly Meeting, than any other Quarterly Meeting belonging to the Yearly Meeting. And by appointing a committee to extend care to that Quarterly Meeting, of course the members of that Quarterly Meeting would be excluded from such an appointment; and therefore, would not have the liberty of being judges in their own case. This, I discovered, was soon seen by those active members in Philadelphia, and hence they saw the necessity of urging the committee to be more general.

I think that William Jackson said something afterwards; I cannot remember what it was; but I think 'tis altogether likely that he then presented that this committee should be appointed to visit the subordinate meetings generally.

Q. I wish the witness to state the precise language used by William Jackson upon that occasion, as nearly as he can recollect it?

A. I cannot pretend to state the exact terms that he made use of; but I know, from the impression it made upon my mind at the time, that his views appeared to be confined to Philadelphia Quarter; or otherwise

I should not have made the remark that I did, with regard to such an appointment. I think I gave some rather fuller account, in my testimony in chief, of what he said, but it seems now to have gone from me. I cannot recollect the exact terms he used in making his proposition. I am willing my testimony in chief should be referred to, as it is there given as correctly as I could recollect it.

Q. You say that the *design* of that committee was well understood,—will you please to state what that *design* was?

A. From the state that the society was then in, and the measures that had been pursued by the Orthodox party for some years previous, to carry their measures into operation, by endeavouring, in many of their meetings, when they had the power so to do, to get in officers, such as clerks and overseers, to suit their purposes, it was very evident that they were endeavouring to form a party, and that they would proceed to the dismemberment and disownment, as they had done it in a few instances previous to this period, of those whom they believed were opposed to them; it had been commonly reported, that there must be a separation, and that this was the manner in which they intended to bring about the separation, by strengthening their bands in this way; added to this the great flood of accusation, and in many instances declamation, that was poured upon Friends from the galleries, more particularly by the English ministers that were then in this country; yet many of their own were not excluded from having a part in this kind of declamation—taking all circumstances into view, I believe there was no doubt left on the minds of Friends, after this attempt to appoint that committee, evidently for a party purpose, but that they were determined to “rule or rend the society,” as I have heretofore stated.

Q. Did any of those who were in favour of the appointment of that committee, state that to be the *design*?

A. No. They understood their business better than that. The society was wide enough awake to discover their *design*, without them telling it.

Q. Did the minute of their appointment state any such *design*?

A. No, it did not. The minute of their appointment, as I have before shown, contained the names of all that were appointed on that committee, and all of that party called Orthodox—and a great portion of them taken out of Philadelphia, where the seat of the disorder seemed to lay, by the report which was brought forward to the Yearly Meeting of ministers and elders; and where it was well known they had scarcely been able to transact the business of the Quarterly Meeting, with any tolerable degree of reputation, for several years previous to that period.

Q. Were any names refused that were offered?

A. I don't recollect that there were. They had the naming of the committee all themselves: as Friends could not unite with it, they took no part in the nomination, that I recollect.

Q. What was the proportion of the committee out of Philadelphia?

A. I do not recollect without referring to the minute I have got, I think; but I believe it was five or six. [The witness looks at his memorandum, and says further:] There was Samuel Bettle, Jonathan Evans, Thomas Wistar, Jane Bettle, Mary Wistar, and Mary Morton, six in all, I believe, that were in Philadelphia. And of those that were out of Philadelphia, the number was nine. They were William Jackson, Hinchman Haines, William Newbold, Joseph Whitall, William Allen

son, Sarah Cresson, Hannah Whitall, Elizabeth Reeve, and Elizabeth Allinson.

Q. What was the tenor of that minute?

A. I have no objection to making an exhibit of it.

Counsel. I ask the witness to give the tenor of it, and he may do it as he pleases.

Witness. Then I will make an exhibit of it, and let it be copied by the examiner.

The paper was handed forward by the witness, and is in the following words:—

“At a Yearly Meeting of ministers and elders, held in Philadelphia, the 14th of Fourth-month, 1827: The meeting being brought under an exercise respecting the ministry, it was after solid consideration concluded to appoint a committee, to visit as way may open, the several Quarterly and Preparative Meetings of ministers and elders, and through the strength which may be vouchsafed by the blessed head of the church, to extend such advice and assistance as may conduce to the health of the body, and the benefit of the individual members; to which service following Friends are named, viz: Samuel Bettle, William Jackson, Jonathan Evans, Thomas Wistar, Hinchman Haines, William Newbold, Joseph Whitall, William Allinson, Sarah Cresson, Jane Bettle, Hannah Whitall, Elizabeth Reeve, Mary Wistar, Elizabeth Allinson, Mary Morton. And the said Quarterly and Preparative Meetings are desired to accommodate this committee, in such manner and at such times as may aid them in the fulfilment of the duty devolved upon them. Extract from the minutes. Jonathan Evans, clerk.”

Q. What purpose had those you call the Orthodox party, so far as their purpose could be ascertained by their acts, but to check the promulgation of doctrines which they considered unsound, and at variance with the religious doctrines held by the Society of Friends?

A. Well, their purpose, I suppose, was best known to themselves. But from what had been discovered in their conduct, and the measures pursued by them for a long time previous, it was very evident they were making many charges of unsoundness, &c. on a large portion of the society, which the society would by no means admit as true or well founded. And, therefore, it was very evident their purpose was to produce a separation in this way. But they were too late getting their machinery to work, and the great body of society got a year ahead of them; and, therefore, their proceedings in attempting to disown Friends were harmless, and had no effect.

Q. Was there any measure of theirs, and of which you complain, that had not some reference to the suppression of doctrine which they alleged to be unsound?

A. I think there was in a variety of instances. I don't see what reference the rejection of the representatives from the southern Quarter could have to do with that, unless they construed it in that way themselves. They had taken up, I think, and disowned several individuals in Philadelphia, on some sham complaints, in which I don't remember that they particularly had reference to unsoundness in that way: and which were in several instances reinstated by the Quarterly Meeting.

Q. What were the charges against those individuals, in what you call these “sham proceedings?”

A. I cannot undertake to give exactly the charges, as I have no docu-

ments that I know of, within my reach, that would enable me to give the charges correctly. But if I remember right, there was a case or two in Pine street meeting, two perhaps, founded on the expression of some sentiments the individuals had uttered in the meeting. One, I think, was principally something that was expressed in opposition to Jonathan Evans' views; I cannot remember the subject. Another was perhaps expressing some doubts about the correctness of a report made by a committee on some subject. But then I cannot state what those subjects were. I think they were not in relation to doctrines, from the best of my recollection.

Q. What was the report of the committee, for attempting to impugn the correctness of which, the member was dealt with?

A. As I have said before, I cannot remember the subject; and, therefore, can say no more about it; I was not present, and have this only from common report.

Q. How then can you be certain that it had no reference to doctrine?

A. Those are my impressions, from the best recollection I have, of hearing of the circumstances at that time.

Q. You say that after the appointment of that committee on Seventh-day morning, those whom you call Friends, "were led to consider what steps would be best to take in the tried and conflicting state of society;" when was the first consultation they had on the subject?

A. Individuals who might be together, as they usually are at the time of the Yearly Meeting, I have no doubt frequently conversed with one another on these afflicting and trying circumstances. But I think, as I before stated in my testimony in chief, that the first *conference* was held on Fourth-day evening, when some fifteen or twenty Friends got together.

Q. Is there any thing unusual in the circumstance of superior meetings appointing committees for the advice and assistance of their subordinate meetings?

A. No. It was not an unprecedented thing in society, for a Yearly Meeting to appoint a committee. But I don't recollect of any instance where the Yearly Meeting of ministers and elders had, previous to that period, appointed such a committee; and in the former harmonious times of the society, before party measures had disturbed its quiet and peace, such committees appointed in the unity and being sanctioned by the body at large, would have been gratefully received in the subordinate meetings. But in this case, as it was evidently of a party character, and no reason to expect that they would go in the spirit of restoring love, they were not so received, by many of the subordinate meetings. And the fruits they brought forth, evidently showed that their labours were calculated to "divide in Jacob and to scatter in Israel."

Q. You have spoken of a conference meeting held by John Comly, which you attended. Will you state when and where it was held?

A. John Comly was passing through Darby, and I heard he was to be at John Hunt's. I accordingly went there; as I have frequently done, and continue to do when strangers are there. When I got there, I found there were some few other Friends in the neighbourhood, also there. There were also, I think, some women Friends that belonged to the western Quarterly Meeting there, who had then just finished a visit to the families of our meeting. John Comly then took this opportunity of opening some of his views to us, in relation to the distressed state the

society was then in, as I have before stated, in my testimony in chief; and it is unnecessary to repeat it again. As to the time when this was, I cannot recollect, but it was not very long previous to the Yearly Meeting of 1827. I think it might have been some time in Third-month, (March,) or there away, I cannot say.

Q. Will you name the persons who were present on that occasion, besides John Comly and yourself?

A. I wont be certain that I can name them all: I think there was Isaac Bartram, John Bartram, John H. Bunting, and Edward Garrigues: the two women Friends that I mentioned, the family of John Hunt: and I think there were one or two more men Friends, but I cannot undertake to say certain about it—Joseph Dodgson, I think, was there.

Counsel. You did not name the women Friends.

A. Alice Wilson, (her name then was,) and Esther Elliott, who is since deceased.

Q. Was Abraham Lower, or any other person from Philadelphia, there?

A. No, I think not; not to my recollection: I do not know, though, who was in company with John Comly, but I am satisfied Abraham Lower was not there.

Q. Were the views which John Comly there opened generally approved by those present?

A. Well, it was a very serious subject, and new to Friends; and we were all sensible of the great distress and difficulty there appeared to be in the Society of Friends; and we were also sensible that the greater part of this difficulty had originated in the Quarterly Meeting of Philadelphia, and from that had become more extensive, in some of the country meetings. But there seemed to be a hope expressed, that possibly at the ensuing Yearly Meeting, something might be done to put a check upon these growing evils, and in some measure restore harmony and peace again in society. I think those were my views, and which I expressed in that interview. I think John Comly mentioned that he had attended the Quarterly Meeting in Philadelphia, and some of the other meetings there; that his views were to discover whether there was any reasonable prospect of any thing being done to restore harmony and peace; but from the disposition he discovered in many of the active and leading members, he thought there was no hope for a reconciliation; and therefore he thought there was no other way to save the society from anarchy and ruin, than for the two parties to separate from each other, or something to that effect.

[NOON.]

I think that Friends generally coincided in the view; and that unless something did take place at the ensuing Yearly Meeting, that would be likely to restore harmony and peace in the society, that it would be best for the two parties to separate; and as we had frequently heard it said that some of the Orthodox, the leading Orthodox Friends, had declared there must be a separation. These were the views, I think, that were then held up; but there was no conclusion of any kind then come to.

Q. You have stated that John Comly said that he did not wish his views to be kept secret: I wish you to state fully what those views were, if other, or additional to those you have stated in your answer to the last question?

A. I think I have stated as *fully* as I can recollect, the views that were then opened by John Comly.

Q. What you have stated includes all?

A. Yes; all, as fully as I can recollect. As to the manner in which such a separation should be brought about, I do not remember that there was any thing said on that subject. John Comly appeared to be then travelling along under a great weight of exercise, on account of the state of society.

Q. What *grievances* were stated in that conference, as in your apprehension requiring redress?

A. I cannot remember particular matters that were then brought into view; I think it is very probable that many of the circumstances of that nature that I have heretofore related, were then conversed about: I can not now undertake to repeat them.

Q. You say there was a looking to the Yearly Meeting for redress: in what way was it expected that redress would be obtained?

A. It was well known that there was a small party, though a very active one, in society, and principally confined to Philadelphia; at least the most active part of them, that had been used in a great degree to govern the proceedings of the Yearly Meeting. But it was hoped by some that when Friends were generally convened from the country meetings, there might be a possibility of this dominant party being in some degree restrained, by some check being put upon their proceedings. I apprehend these were the views that many Friends had, and which I had heard a number express.

Q. How, or by what means, was this check to be given?

A. By the means that I have expressed—the hope of controlling the operations of those party measures. But after what took place in the appointing of that committee by the meeting of ministers and elders on Seventh-day, and the manner in which it was done, there seemed to be little or no hope left.

Q. What were the measures that those whom you call Friends hoped would be *controlled* at the Yearly Meeting?

A. I have spoken in general terms of the measures that had been carried on and persevered in for some time previous to that period; and I should hardly suppose it necessary to travel over the ground again. The opposition that had been made to many valuable ministering Friends, the rejection of the representatives from the southern Quarter, the attempts that had been made to disown some members in Philadelphia, and the general conduct of that party wherever they could bring it to bear, or to operate, in some of the meetings of discipline.

Q. In what way was it hoped that the Yearly Meeting would correct these proceedings?

A. By exercising their rights and privileges in order to control them.

Q. How?

A. I don't know that I can satisfy the counsel with a fuller answer. I cannot undertake to say what they had a view of doing: I think I have stated as fully as I can state it. In order to elucidate the subject, perhaps I can refer again to the meeting of ministers and elders, where the voices of Friends were not heard, or considered of no avail, when expressed in opposition to the views of that party. And if we go to the general Yearly Meeting, where the great body of the representatives were disposed to make a change of clerks, a minority of that body were

determined to support *their* views: and again in the Yearly Meeting, when the subject was brought before that, in the manner it was, the minority there were determined to carry their own views, by forcing upon the meeting a clerk that was not at that time agreeable to a great majority of the members.

The question is again read to the witness, when he further answers—Well, as to any thing of an official nature, of which I can only speak on behalf of society, there was a matter coming up from the southern Quarter, as is before stated, in order for redress of grievances; and as there had, previous to this time, been a good deal of dissatisfaction in society with regard to the Meeting for Sufferings, it was hoped, or apprehended, that possibly there might be some redress obtained by the subject of its organization being laid before the Yearly Meeting: also respecting elders, from the apparent disposition that had been manifested by the elders in Philadelphia assuming an undue influence in society, it was apprehended that perhaps a change in the manner of appointing elders, so as to have those appointments made periodically, it might possibly afford some relief. And these two subjects, I think, were brought up to the Yearly Meeting from Abington and Bucks Quarters, if I remember right, with the hope that they would be acted upon. One of them, perhaps, respecting elders, had been forwarded to the Yearly Meeting by one of those Quarters some time, two or three years, previous, I don't remember exactly; and it had then been rejected; principally by those, I think, of that party I have been describing, as assuming to govern the proceedings of the Yearly Meeting. These, I think, were some of the principal matters that the Quarterly Meetings had acted upon, and from which it was hoped some redress might be obtained.

The question is again read to the witness, when he further answers: If the Yearly Meeting had been in a capacity to act upon those matters that were brought up from the several Quarters, and would have said to the Meeting for Sufferings, "You have violated the discipline, and invaded the rights of the southern Quarterly Meeting in assuming to reject their representatives a seat in the Meeting for Sufferings;" and had ordered the southern Quarterly Meeting to send forward their representatives as they were desirous to do, it would have been a redress of that grievance. And in the same manner in regard to the other two cases, respecting the appointment of the members of the Meeting for Sufferings, and also the appointment of elders, if the Yearly Meeting had been qualified to have taken hold of these subjects, and to have made an alteration in the discipline in compliance with the views of those Quarters, the expected redress might have possibly been obtained in that way, as it regarded those matters. Again, if the wish of the great majority of the representatives had been complied with in the choice of a clerk, so that the meeting could have had a clerk in whom they had confidence, that would have acted in compliance with the views of the Great body of the meeting, there might have been some redress, possibly, obtained in that way.

Now I trust that question is fully answered.

Q. How would the rule, making the appointment of elders periodical, if you had succeeded in obtaining it, have afforded you redress?

A. It is believed that there were some who stood in that office, or had stood in that office a great while, that were assuming to themselves a consequence that was not altogether becoming those who stood in that

station; and although there was discipline already sufficient for Monthly Meetings to displace them, yet it had not been much acted on in that way, and it was a very possible case, and no doubt in many instances was the case, that those individuals had such influence in the meetings to which they belonged, that it would be difficult to get the subject before the meeting in that way; and therefore by a rule of discipline to have those appointments made periodically, it would bring them under review, and afford an easier way of releasing them from their stations, as also operate as a salutary restraint upon their assuming an undue influence in society, in consequence of their appointments in that station.

Q. Will you state the names of as many of those persons that you wished thus to remove, as you can recollect?

A. No. I wōnt undertake to state names. In my own Monthly Meeting, I believe there was none of that description but what the Monthly Meeting was satisfied with.

Q. Were those persons whom you call a combination of elders in Philadelphia, among those whom you considered it desirable to remove?

A. I was not a member of the Monthly Meeting to which any of those persons belonged, and therefore had no right to act in the case. But I think, if I had been a member of any one of those meetings, I should have thought they ought to have been removed; or otherwise made an acknowledgment for their unauthorized proceedings in that combination of elders, as it is generally termed. It made a great excitement, as I have before and very frequently stated, throughout the society. It was one of the great grievances complained of, and I have no doubt at all but a large portion of the society thought they ought to be removed from office; and I think Jonathan Evans, himself, must have known and seen, that they were acting contrary to the right order of discipline, by the cautious manner in which he signed a note contained in the last letter they sent to Elias Hicks.

Q. Will you name the members of the Meeting for Sufferings it was thought desirable by your party to release from service?

A. I cannot undertake to name; because in a society capacity we had not pursued any measures of that kind. These things were of a general character, and as I was but a little time permitted to be within the sacred walls of the Meeting for Sufferings, I could not tell a great deal about their proceedings, only from common report, and from hearing their minutes read in the Yearly Meeting. I did, however, I think, mention some names that were active in rejecting the representatives from the southern Quarter, and as an individual, I have no hesitation in saying, that those members assuming the power that did not belong to them, ought to have been removed.

Q. I understand from what you have said, that this was a subject of much discussion among the members of your party; from all you know of your own knowledge, or have learnt from conversations with them, was it not the general impression of the members of your party, that all those members of the Meeting for Sufferings, who were either of that body, whom you call a combination of elders, or united with their proceedings, ought to be released from service?

A. I cannot undertake to say what the opinions of a large body of Friends were: but I know, as to myself, and many that I might have conversed with, it was our opinion that those conspicuous individuals, who appeared to have formed this combination, had violated the order

d discipline of the society, and had, therefore, in our apprehensions, equalled themselves, and lost the confidence of the people, as they d formerly stood in the harmonious times of the society.

Q. Am I to understand, then, that the redress you sought was to remove from service the elders and members of the Meeting for Sufferings designated, and fill their places with those of your own party, and at in the event of your failure, you had determined to separate?

A. There was no determination I believe of this kind come to, until hopes of redress in any other way had seemed to be given up. Those circumstances that I have mentioned of grievances, and the many other combining causes that operated, eventually tended to produce this result. And I don't know within my knowledge any individual that was desirous removing those, any of those officers in the church, in order that he might fill the station himself. As to the numbers of the Meeting for Sufferings, I apprehend there was a majority of that meeting who were considered on the Orthodox side. As to elders, from the best account that I can ascertain from the various meetings at the time the separation took place, there is a majority on the side of Friends, of those that were then in that station.

Q. You say that John Comly expressed his belief, that the hope from the Yearly Meeting was vain—what did he propose as the means of obtaining redress?

A. I don't recollect that he proposed any thing but what I have stated.

Q. You allude to a separation?

A. Yes. I think he did not at that interview propose any thing besides.

Q. Was the subject of the clerkship of the Yearly Meeting discussed in that conference, or any allusion made to it?

A. I do not remember that it was discussed in that conference—but I well know, or knew then, that there was a good deal of dissatisfaction in society with Samuel Bettle acting as clerk. That, I believe, had existed in the minds of some Friends from the year 1823, when that creed-business was before the Yearly Meeting. Some Friends then thought he did not act in compliance with the views of the body of the meeting, in the disposition of that business by the minute he made on the subject; although, I think, I myself did not blame him on that occasion—he was a Friend I had a high esteem for—and it was well known, that in the convulsions that prevailed in Philadelphia Quarterly Meeting, he had shown himself a warm party man. And, therefore, it was believed by many Friends, that he could not consistently act as the organ of the Yearly Meeting, in the situation society was then in, and more especially as it was known, that some matters were to come from Philadelphia Quarterly Meeting, to be determined by the Yearly Meeting that year, which Samuel Bettle was considered a warm partisan in. If any thing was said on that subject, at this interview we have been speaking of, it has escaped my recollection.

Q. Was not John Comly in the same predicament, with respect to the subjects that were sent up from Abington Quarter, as you describe Samuel Bettle to have been in, in relation to the matters which came up from the Philadelphia Quarter?

A. I think not; the cases were very different. If I have a right recollection of the subject that came from Abington Quarter, it was in

relation to periodical appointment of elders; my impression is, that that was the subject. And I am inclined to think, that John Comly was not favourable to such a change in the discipline, but, no doubt, was submissive to what appeared to be the general views of Friends, and would act accordingly. One of those from Philadelphia Quarter was in relation to Leonard Snowdon's case, as was well understood, and in which Samuel Bettie had taken an active part; and perhaps then stood on a committee of that Quarter, to represent the case to such committee as might be appointed in the Yearly Meeting on the subject. The other case was in regard to appeals, which had been got up in Philadelphia Quarter, by that party with whom Samuel Bettie had identified himself, and was carried forward to the Yearly Meeting, if I have been rightly informed, contrary to the views of a large portion of that Quarterly Meeting. These things were generally known in society, previous to the Yearly Meeting of 1827, and it was not at all to be marvelled at, that a great portion of the members of the society were desirous of a change in the clerk.

Q. Was John Comly decidedly opposed to the Abington proposition?

A. I did not attend that Quarterly Meeting when that subject was before it; and cannot say what he might have expressed in that meeting on the subject; but from the sentiments I have heard him express since, I believe he was not fully persuaded in his own mind, that such a change in the discipline would be profitable.

Q. If, to have taken a part in any subject that was to come before the Yearly Meeting for decision, will disqualify a person for being clerk of that meeting, on the ground of partiality, would not the objection have equal force, whether the individual *advocated* or *opposed* the proposed measure?

A. That would depend very much upon the part which the individual had acted. In the former harmonious times of society, although there might be diversities of sentiments on particular subjects, there was generally a condescension or acquiescence on one part or the other in the disposition of those subjects. And therefore there were no important subjects carried forward to the Yearly Meeting, unless this unity and harmony, in a good degree, prevailed; therefore, individual sentiments that might have been offered, not altogether in agreement with the measures that were finally resulted by the meeting, would not be considered as disqualifying an individual, even to serve on a committee in the Yearly Meeting, when those subjects were resulted there. But in the case of Samuel Bettie, it was very different. Here was a strong party formed in Philadelphia Quarterly Meeting—he had warmly espoused the cause of Leonard Snowdon.

The question was again read to the witness, when he further answers: I do not think it would make any difference whether he *advocated* or *opposed* the measure, provided he showed himself a warm partisan. As to the choice of a clerk, I should now say that it ought to rest upon the choice of the people generally.

Adjourned until to-morrow morning at ten o'clock.

Friday morning, December 24th, 1830, at 10 o'clock. Cross-examination of the same witness continued. Present the same as before.

Question by Mr. *Brown*. Were the facts and circumstances which you

are detailed, as objections to the appointment of Samuel Bettle as clerk of the Yearly Meeting in 1827, urged as objections against him in the meeting of the body of representatives of that year?

A. I was not one of the representatives in that year; and, therefore, cannot say what objections were made in that body to Samuel Bettle being nominated as clerk; but it seems to be an impression on my mind, that I have heard some of the circumstances that I have brought into view, were urged as objections; especially the active part he had taken in the affairs of Philadelphia Quarterly Meeting. I think I have heard this mentioned, but by whom, I cannot say.

Counsel. The question is confined to the meeting of the representatives.

Witness. I mean the answer to be confined to that meeting also.

Q. Was any objection made to Samuel Bettle, as clerk of the Yearly Meeting in 1826, either at the meeting of the body of the representatives of that year, or in the general Yearly Meeting?

A. I do not recollect that there was. It seems to me, too, that I am under the impression, that there were some remarks made about it of that matter, though I am not certain; I mean in the Yearly Meeting at large, at some period previous to 1827. As it respects the representatives, I think I was on the appointment, either in 1825 or '26, I cannot be certain which; and I had been on previous to that period at different times, when Samuel Bettle's name was proposed for that service, and I had always observed, that it was mentioned *very quick* after the representatives got together; and, generally, by some Friend in the city. I think, at one time, either in 1825 or '26, it was mentioned before all the representatives could have got into the house to take their seats; for which precipitancy, in mentioning a name so quick, I think, John Cox, if I am not mistaken, gave a very salutary rebuke: and as it was mentioned quick, it was generally united with very quick, by a number of those persons who seemed to direct the councils of society in a great measure. But I do remember, on one occasion, there were some objections made to it, and some proposal, to consider of the propriety of a change; but that was overruled, without a great deal being said on the subject; and, I think, it was submitted to and agreed, that his name should be carried forward.

Counsel. The question related to the year 1826, and to the meeting of representatives, or general Yearly Meeting of that year; do I understand the answer, as relating to that period?

A. I have not a distinct recollection which year it was; but, I think, it was either 1825 or '26. I am rather inclined to think it was the latter, but I will not be certain.

Q. Who made the objection?

A. I think Abraham Lower was the one that first mentioned the circumstance. I don't know that it could properly be called an *objection*. He called the attention of the representatives, to consider of the propriety of a change.

Q. On what ground?

A. I can't recollect that he gave any particular reasons for it; perhaps he might have stated, that Samuel had been a number of years under that appointment, and it might be profitable to change. I think there was no other name mentioned.

Q. Were the views of Abraham Lower, upon that occasion, supported by any other person?

A. I have not a clear recollection; but, I think, there was some other person or persons that seemed rather to coincide with Abraham's views of the subject.

Q. Can you name them?

A. I cannot recollect.

Q. Can you recollect their number?

A. No, I cannot. I have a faint recollection of the circumstance, and have stated as far as I can relate matters of fact.

Q. You have stated, as one reason, why Samuel Bettle ought not to have been appointed clerk of the Yearly Meeting in 1827, that he had had a certain duty assigned to him in relation to the case of Leonard Snowden, in the performance of which duty, he had taken an active part; had not the case of Leonard Snowden arisen before the year 1826?

A. Yes, I think it had, some considerable time before: and had very much agitated the Quarterly Meeting, for several Quarters, but was not till the year previous to the Yearly Meeting of 1827, agreed to be laid before the Yearly Meeting; or rather to ask the Yearly Meeting's advice on the subject of difficulty.

Q. Would not an endeavour, on the part of an individual, to produce a separation in the Society of Friends before the Yearly Meeting of 1827, by holding *conferences* to prepare the minds of members of the society for such an object, have been as great a disqualification for the office of clerk of that meeting, as for an individual to have taken an active part in the discussion of a subject that was coming regularly before the Yearly Meeting from one of the Quarters?

A. It appears to me that that would depend very much upon the nature of the endeavour the individual might have made. Under the then existing state of things in the society, I consider the Society of Friends were a little circumstanced, if we may draw the comparison, as the people of the United States, or the American colonies, as they were then called, perhaps, were placed in previous to the revolutionary war, and considered they had a right to confer together, for the general good, and to seek for some means to become emancipated from the British yoke; and therefore, I think, it was a privilege that the society had, to confer together on the existing state of things, and even to devise means which they might apprehend would tend to the general good. But I think, there would be a difference between a person seeking relief in this way, and a person who had been actively engaged in producing those measures that had brought society into this distressed situation, in which they were then placed.

Q. If the expression of John Comly's sentiments, in an *irregular* meeting, constituted no disqualification for the clerkship, why should the expression of his sentiments on a subject in a regular meeting of the society, disqualify Samuel Bettle from the clerkship?

A. I don't know any *irregular* meeting that John Comly had had, and therefore, there is no parallel in the case.

Counsel. Let the question then apply to the conference meeting spoken of by the witness.

A. I considered it nothing more than a friendly interview, that John Comly and a few of his friends had together: I believe more by accident than any previous arrangement made for it. [The question is again

ad and explained to the witness, when he further answers,] I think there is a wide difference in the two cases. John Comly was extremely desirous of saving the society from anarchy and ruin, and would, if he had even been appointed to the service of clerk at that time, used his most endeavours, as far as his influence might extend, to have preserved, or at least, to have endeavoured to have brought the society into harmony and concord. In the other case, as I have already stated in a number of instances, Samuel Bettle had been actively engaged in promoting those measures, that went to produce, and finally did produce, a separation in the society, by rending the bonds of our religious union sunder.

Q. In that conference, or that assemblage of Friends at John Hunt's, by whatever name the witness may think it ought to be designated, was the situation of Green street Monthly Meeting discussed, or alluded to, and if so, state all that occurred respecting it?

A. I don't seem to have any recollection of that subject being discussed: though I think from that being a very prominent circumstance in the Philadelphia Quarter, its very likely it might have been a subject of conversation. It was well known that there was a great hostility in Philadelphia Quarter towards the Monthly Meeting of Green street; and I recollect now having heard, that after the releasement of Leonard Snowdon and the other elder, perhaps from their stations as elders in the society, that William Evans should have said, that that Monthly Meeting "should be laid down."

Q. When, and to whom did William Evans say that?

A. I cannot remember, who I heard it from; it was a circumstance that was then frequently talked about.

Q. Try to recollect whether any thing was said at that conference, with respect to Green street Monthly Meeting detaching itself from Philadelphia Quarter, and joining itself to Abington Quarter?

A. I have no recollection of that subject being mentioned at all, neither do I think it could have been; for I have no recollection of the subject being mentioned, till after the Yearly Meeting of 1827.

Q. Did you attend any other friendly conference, such as that held at John Hunt's, either at Wilmington, or any other place, in company with John Comly, at any time previous to the Yearly Meeting of 1827?

A. No. I did not any thing that could be construed in that way. Some time previous to that, John Comly had visited some of the meetings within the compass of the Quarter that I was a member of, and I was with him, at a number of the meetings, I think, as I have very frequently been with other ministers who have travelled in our parts; and there would be frequently a number of Friends together, at Friends' houses, as is usual on such occasions. But I never remember to have heard him mention, or even hint at, any of the views which he opened to us, in that interview at John Hunt's.

Q. In any of those visits was the subject of the clerkship of the Yearly Meeting alluded to?

A. I have no recollection that it ever was: and yet its quite a possible case, that there might have been conversation among Friends on that subject.

Q. Was there any other subject mentioned, besides what you have before stated, at the interview at John Hunt's, connected with the existing difficulty in the society; and if so, state what it was?

A. I have no recollection of any thing that I can pretend to relate, more fully than what I have already done. I wish it was in my power to give fully and clearly every thing, and every sentiment that passed in that interview: I should have no objections they were published to the world.

Q. Was there not for some time previous to the Yearly Meeting of 1827, among the leading men on your side, a distinct understanding, that if John Comly was not appointed clerk, there was to be a separation from those you call Orthodox?

A. No. I know of no such understanding. Nor I never was in any council or consultation on that subject, previous to the time I have mentioned.

Q. When you say that John Comly held but four or five of those conferences, prior to the Yearly Meeting of 1827, do you mean to be understood that those were the only occasions on which he consulted with his friends on the proposed separation from those you call Orthodox?

A. As I was not constantly with John Comly, and but seldom with him about that time, its impossible for me to say what communications he might have had with his friends on these subjects. I have mentioned the one I was present at, and all I can remember distinctly about it. But as John Comly was charged in some of those anonymous pamphlets, especially the one that was known by the name of "Evans' Pamphlet," and if I am not mistaken, subsequently in some of a more official character, of holding *forty* of those *caucus meetings*, as they chose to denominate them, I inquired particularly of John Comly afterwards about it; and it was then, I think, he informed me that he could not recollect of more than five or six at furthest of those kind of interviews which he had at Darby; and which he had no desire at all that they should be in secret.

Q. You understood John Comly then to say, that those five or six occasions, were the only ones, on which John Comly had mentioned to Friends, the subject of a separation in the society?

A. No, I don't wish to be understood so. I cannot tell what he might individually have mentioned to Friends. But that these were the few instances, in which those interviews could be considered any thing like a *conference*.

Q. Were the views of John Comly generally united with, by those you call Friends?

A. I cannot answer for society generally. I can only answer for the interview when I was present.

Counsel. I wish the witness to answer as far as his knowledge or information extends.

A. I cannot say as to that, only as I have already stated, as far as I had knowledge of the circumstance. But I rather think Friends, generally, were circumstanced as I was myself, looking forward towards that Yearly Meeting, for bringing about a state of things that would afford some redress. As it regarded a separation, I think it was a thing entirely undetermined upon, until about the middle of the week on which the Yearly Meeting was held.

Q. Prior to the Yearly Meeting of 1827, do you not recollect saying to one or more Friends, "that a revolution was about to take place in the society, and that the power would pass into other hands than it was then in?"

A. I have no recollection of any such conversation with any Friends. If the names were mentioned, it possibly might bring something to my recollection. I remember some years before that period of having some conversation with William Evans, about the time the elders made their attack upon Elias Hicks in Philadelphia, and William was railing out against Elias Hicks; for which I gave him some cautions, being but a young minister himself, and I was afraid he would hurt his own service. And I think I then told him, that if a few of them in Philadelphia undertook to set up their judgment to put down Elias Hicks, a man so universally esteemed as a minister of the gospel, as he was, that they would produce a schism in the church.

Q. Some time after this interview with William Evans, did you not caution another minister of Philadelphia Quarter, against opposing the doctrines of Elias Hicks, or joining with others in opposition to them, stating that the power in society was about to pass out of the hands of his opposers?

A. I have no recollection of expressing any sentiment of that kind. It seems to me that I met with Thomas Kite in the street, about the time that Elias Hicks arrived in the city, may be in that fall of 1822; I am not positive as to the time: but we got a little into conversation on the subject of Elias Hicks' arrival there; whether he introduced it, or myself, I cannot remember; but it seems to me he said that he had heard Elias had arrived in town, and I might have given him some cautions. I don't remember what they were; for I think at that time I did not know what his sentiments were, with regard to Elias Hicks; but I pretty soon discovered that he was pretty warmly opposed to him. And I think I then told him, pretty much as I told William Evans, that if they did not take care, they would produce a schism in society; and if I remember right, he replied, that he did not know but it would be better to be so.

Q. From 1823 to 1827, were you not frequently engaged in visiting the different meetings within Philadelphia Yearly Meeting, and promoting the views of those you call Friends?

A. No, I was not. I don't remember ever having been engaged during that period, in visiting the meetings of Friends within our Yearly Meeting, further than I might have accompanied some travelling minister, who was engaged in that service; which has frequently been my lot, for twenty years or more past. And I think perhaps within that period, I was once on a committee of the Quarterly Meeting, to visit the Monthly Meetings within our own Quarter. But I never travelled, either as a companion for a ministering Friend, or otherwise, with a view of promoting party purposes, previous to the Yearly Meeting of 1827.

Q. Did you not use your influence with Friends of several of the Quarterly Meetings, immediately preceding the Yearly Meeting of 1827, to get such representatives appointed, as would be favourable to John Comly for clerk?

A. No. I am as clear of that as the counsel himself. I don't recollect that I attended any Quarter, except our own and the southern Quarter, at the time when representatives were chosen to go to the Yearly Meeting.

Q. Did you not propose, in Concord Quarterly Meeting, immediately

preceding the Yearly Meeting of 1827, that the number of its representatives to the Yearly Meeting should be increased?

A. I think I did make such a proposition, to that effect; and which the Orthodox have not failed to hold up to view, in their anonymous pamphlet, and attaching a design to it, which they knew nothing about. I knew that it was a practice in some Quarters to appoint more representatives than others. I think it had been the practice in the western Quarter, that I had formerly belonged to, of sending a larger number out of each Monthly Meeting, than we were then in the practice of doing from Concord; and I thought we hardly had our proportion of an average number, according to the quota which we paid to the Yearly Meeting's stock, as it is called, and I therefore made the proposition I did.

Adjourned.

[NOON.]

[In the afternoon the witness continues his answer.] I was going to state, that it was immediately opposed by a Friend, who was then considered pretty strong on the Orthodox side; and it passed over, I think, without much being said to it. I don't recollect that it was advocated by any other Friends.

Q. Was it the usage in your Quarterly Meeting to appoint a certain number of representatives from the members of each Monthly Meeting constituting it?

A. Yes. It had been usual, I think, to appoint two out of each Monthly Meeting, as representatives to the Yearly Meeting.

Q. Was that also the usage in the western Quarterly Meeting?

A. I don't know what was their usage at that time; but I think when I was a member of the western Quarter, it was usual to appoint a larger number, *three*, if not *four*; though I will not be certain about it. But that was a long time before, previous to the year 1803, when I left that Quarterly Meeting.

Q. How many did the western Quarter send up in 1827?

A. I do not remember. I can't pretend to say.

Q. How many did your Quarter send up to that Yearly Meeting?

A. The usual number, I think, two from each Monthly Meeting.

Q. Had you no other design in making that proposition to your Quarterly Meeting, than that you have stated?

A. I cannot remember any design I had at the time, further than what I have expressed. And perhaps I had in view important subjects, that were likely to engage the attention of that Yearly Meeting; and was desirous of having as many country Friends there as could be come at.

Q. Had you no reference in your mind at the time to the choice of a clerk for the Yearly Meeting?

A. I cannot say whether I had or had not, now. But I have good reason to believe, that if I had had such a design, we should have gained very little advantage in that respect, by increasing the number of representatives; for we had a number of individuals in that meeting that were very warm party men on the Orthodox side, and were as quick in exercising their privileges in naming some of their own party to appointments in the meeting, as any other Friends were: so much so, that

When an appointment was making, they would name of their own party much faster than the clerk could take them down.

Q. Had the representatives any other specific duty to perform, than to agree upon the names of persons to be reported to the Yearly Meeting as clerk and assistant clerk?

A. I believe there is nothing further specific—that is laid upon them by the discipline. It is expected they will report to the next Quarterly Meeting succeeding the Yearly Meeting, of their attendance; and sometimes there are matters confided to them by the Yearly Meeting, to carry back to the Quarterly Meetings.

Q. Were not similar propositions to that which you made in Concord Quarter, proposed and adopted in Bucks, Abington, and the southern Quarterly Meetings, in 1827?

A. I was not at any of those Quarters, and don't know how the propositions were made, nor what was their inducement. But from the reports that came forward to the Yearly Meeting, it appeared they had increased their usual number of representatives.

Q. When you proposed in the Yearly Meeting of 1827, that the nomination of clerk should be returned to the representatives, with the understanding that the majority should decide, was it not opposed, on the ground that it was contrary to the usages and principles of the Society of Friends, to decide in its meetings by majorities?

A. I think there was something said by some of that party, the Orthodox party, of that nature. I don't remember the words. I think they began to talk about weight, if I remember right; the solid part of society, and so forth; terms very familiar to them. But I thought, from the disposition they manifested in trying to carry their point, they might have left *weight* out of the question: for perhaps if they had been weighed in the true balance of the sanctuary, they might have found the handwriting of *mene tekem* inscribed upon the wall, over against them. It did not appear that they were willing to refer the matter to majorities, when they found it would not answer their purpose. But on another occasion, when I was present, some time after that, at a meeting of the contributors to the asylum, some of these very men were willing to decide a matter by a majority of voices, when they apprehended they had a majority on their side, among whom were Jonathan Evans, Samuel Bettle, Thomas Stewardson, Thomas Wistar, and many others, who took an active part in the Yearly Meeting, in regard to the decision respecting the clerk.

Q. Who was it that talked about *weight* in that meeting; and what was said on that subject?

A. Well, I don't know that I can recollect exactly—there was so much said, and such confusion in the meeting at the time, that it is impossible for me to remember particulars. But I think it came from some in the galleries, not far from the clerk's table. It had been a term that I had got so used to hearing, that it was not so remarkable at that time.

Q. If you cannot recollect who those men were, how can you say that it was the same men who advocated some time afterwards a different doctrine at the asylum?

A. I believe I have not said so. I have said it was the same men that took an active part in the question, respecting the choice of the clerk—and I have very little doubt, that it was some of those that made this

reference to *weight*. But as to naming the individual, my memory will not serve me to mention the particular name. But I well know, that in the decisions of matters in meetings for discipline, for a considerable time previous to that, the Orthodox could not bear the idea of a decision by majorities, where they found it would not answer their purpose. But in the case of the asylum, they had resorted to means, by increasing the large number of annual subscribers, for a trifling sum, a few dollars each—it was fully believed at that time, with a view of giving them a majority of votes in that institution, some of whom, it was commonly reported, then did not know that they were entitled to a seat among the contributors, until they were invited to attend the general meeting of the contributors. And, I think, the clerk informed me, that previous to the meeting, he had received ten or eleven new names, and at the meeting there were more than sixty, sixty-three or four, additional ones laid on the table, or brought forward as new members of that institution. And I had understood, though I had never before myself attended that institution, that on some previous occasions, years before that, there had been some efforts made, or effort, by some of the members of the institution, as it was something of a *civil institution*, that they should decide certain matters by a majority of voices, but that it was then strongly opposed, if I am not mistaken, by Jonathan Evans, and some others of the Orthodox party. This information I had from some of the contributors, who were members of our own meeting. But on this occasion, when I attended that meeting, there was some difficulty arose, I think, in regard to the proceedings of the managers during the past year; and it threw the meeting into great confusion. And finally, it was urged by the Orthodox party, that they should settle it by calling over the list of names, which was by some others considered unfair, to take in the new names that was then brought forward, I think, under the circumstances that they then appeared to be in. Recourse, however, was had to the list. The clerk of the asylum company, being a man of great moderation, and disposed for peace, did not seem disposed to call over the names in that way, but some of that party, that I have mentioned, strongly urged it, and Thomas Evans made his way by some means to the clerk's table, and got hold of a paper, and set to calling over the names, and put up his hand to his mouth, I remember, to make his voice heard all over the house in the midst of the noise and confusion, during which, the clerk seeing that nothing could be done to any advantage, under these circumstances, he made a minute, adjourning the meeting, and left it with his book under his arm: and, I believe, most, or all perhaps, but the Orthodox party, left it also—and let them take their own course.

Q. When did the transactions which you have detailed as having taken place in relation to the asylum, take place?

A. It was at their annual meeting in the spring of 1828—I do not remember the time exactly, perhaps in Third-month, 1828.

Q. It was then after the separation in the society?

A. Yes—it was after the separation.

Q. Were not the contributors to the asylum entitled to that character by the payment of money alone, and was it not a benevolent and monied institution, and not a religious one?

A. I believe that was the case. They were entitled by paying a certain sum—and it was considered in the nature of a civil institution.

Q. Had not those new members, of whom you have spoken, regularly paid their contributions, and thus become entitled to seats and voices in the meetings of the contributors?

A. I don't know that that was the fact. I suppose they had paid the sums required of them, or some persons had paid it for them. It was so reported at the time, that there was a number there that had not paid any money; but had received notices to attend. It was reported so at the time, and afterwards, I should have said. I have this only from common report. I did not know the fact myself. And it was thought unfair, that any advantages should be taken in this way by one party over the other.

Q. Did not the treasurer furnish a regular list of the contributors, certifying that all those new members had paid their respective contributions?

A. I cannot tell how that was: I was not much acquainted with the proceedings of that institution, as I had never before attended it. The agent who had stood appointed by our Monthly Meeting, I believe from the first institution of the asylum, had been then in a poor state of health, and requested to be released, and I was appointed in his room as the agent of Darby Monthly Meeting, which had subscribed \$200, to entitle them to have an agent in that institution.

Q. Was this appointment of Darby Monthly Meeting of you as their agent, before or after the separation?

A. It was in the winter of, I think, 1828, when Edward Garrigues requested to be released, who had been our former agent.

Q. Did not the right of a Monthly Meeting to be represented by an agent in any meeting of the contributors, arise solely from the circumstance of such Monthly Meeting's having contributed money for the purpose of carrying into effect the objects of the institution?

A. I do not remember the constitution of the contributors to the asylum, particularly what is stated in it: but I expect, if I understand the question, that is the case.

Q. Was it not definitely provided by an article of the constitution, that the contribution of each Monthly Meeting which did contribute, should be two hundred dollars?

A. I believe that was the sum required, and which I have before stated.

Q. Was it not provided by the constitution, that one of the conditions upon which an individual should be permitted to become a contributor, should be, that he would continue a member of the Society of Friends?

A. I believe that was the case, if I remember right.

Q. After considerable opposition had been made to the Report of the Board of Managers, was it not proposed that the question whether the meeting should or should not agree to the report, should be put to vote?

A. I cannot remember exactly at what period they determined upon deciding the question by a vote; but I think it was after there was considerable opposition to the report, that it was so.

Q. Was not the clerk one of those whom you call Friends?

A. I think at that time he might have been called a neutral, if I remember right.

Q. How is it now?

A. He is now with Friends.

Q. Upon his declining to put the question, was not Daniel B. Smith,

who had acted as his assistant as clerk of the meeting, requested to call over the names?

A. I cannot remember how that was; Daniel B. Smith was at the table, and I think read the minutes of the board of managers for the preceding year: and whether he was requested or not, I cannot say; but it seems to me that he made some attempt to call them over; but the meeting got into such a state of confusion, I think it would puzzle a lawyer himself to describe fully. But I well remember Thomas Evans making his way to the table, or near the table, whether over the people, or between the people, I can't undertake to say: but he got hold of a paper, and set to calling over names, as loud as he could well hollow; and I think it was while he was doing this that the clerk made a minute adjourning the meeting; and I very soon got out of the house after that.

Q. Did you see Thomas Evans go to the table?

A. I think I saw him a little way from the table first; how far he had sat from it, I cannot say; he was then in the act of making his way to it, and got hold of the paper; but whether from the assistant clerk, or from off the table, I cannot undertake to say.

Q. When his person first struck your vision upon that occasion, were there any persons between him and the table?

A. Well, it appeared to me as if there was. I was on the other end of the house, a good ways from him; and there were many people on their feet at the time. I cannot say how far he was from it.

Q. You observed his further progress to the table; did he effect it by passing over the heads of the intervening persons?

A. I stated before, I could not undertake to say how he got there.

Q. Did you observe him to pass over the heads of any of them?

A. I did not say so: the first, I think, I noticed of him, he was not far from the table; and he was making his way to get hold of the paper; but whether the assistant clerk had it in his hands or not, I don't pretend to say: there was great confusion at the time, and many were on their feet, I think, in different parts of the house.

Q. How far was he from the table when you first saw him?

A. Well, I could not undertake to tell the number of feet, for I was not at that time measuring distances in my mind; but I was at one end of the house *from* the table, and he appeared to be on the *other* side; or perhaps more *fronting* the table.

Q. As you had not observed his position in the meeting before you saw him approaching the table, and as after that time you did not observe him to pass *over the heads* of any of the intervening persons, is it quite fair to insinuate that in his previous progress he might have so passed *over them*?

A. I have stated the company to be in great confusion at the time; and that it is impossible for me to describe every thing that took place: I did not wish to be understood to imply that he actually did pass over the people; but from his appearance at the time, and what I did notice, he appeared to be determined on pursuing his object.

Q. While Daniel B. Smith was calling the names, did not one of those whom you call Friends snatch a paper from him, or from the table, the list from which he was calling the names; and as he proceeded to call from a duplicate list, did not the clerk rise and read the minute of adjournment, without any instructions from the meeting so to do?

A. I do not remember that circumstance. I have no distinct recol-

action of the previous attempts to call the names, if there were such made, until I heard Thomas Evans calling them. - But, I think, its quite likely Daniel B. Smith had made some attempt of that kind.

Q. Were you near enough the table to have heard what Daniel B. Smith said?

A. I think I was, if he called as loud as clerks generally speak. I think I was little more than the length of this room (about fifteen feet) from the table, perhaps. [The preceding question was again read to the witness, and in reference to the last branch of the inquiry, he answers further,] As to receiving any instructions from the meeting in the confused state it was in, it would puzzle a better head than mine to say who the meeting was. - But my impression is, there was some sentiments of that kind offered, by somebody, but who, I cannot say.

Q. By how many persons?

A. I cannot undertake to say, the state of confusion was such.

Q. Was not the voice of Daniel B. Smith very weak, and of but little compass?

A. Well, I did not observe that it was. If I remember right, he read the minutes of the board of managers for the preceding year, while the meeting was in a quiet state, and was heard sufficiently, I should suppose all over the house.

Q. Taking into view the state of confusion in which the meeting then was, and the noise, might not Daniel B. Smith have requested Thomas Evans to repeat the names in a louder voice, as he called them over, without your having heard such request?

A. He might readily have done so, without my hearing it; as I suppose Thomas Evans to have been nearer to him than I was; but I don't remember hearing any such request.

Q. Did not the noise and confusion of which you have spoken, arise from the efforts of Abraham Lower, and a number of others of those whom you call Friends, to prevent, by clamour, the clerk from being heard, while calling over the names, and when they found themselves defeated in their attempts to effect that object, did not a minority of the contributors, or those professing to be contributors, retire from the house?

A. I do not recollect Abraham Lower being there at all. He may have been there, and a hundred others, that I can't now recollect. But as to the cause of the confusion that took place, I attribute it wholly to the efforts that were made by the Orthodox party, endeavouring to justify some proceedings of the board of managers that had taken place during the preceding year, and the unfair means that it was apprehended they were then resorting to, to accomplish their design.

Adjourned until 10 o'clock to-morrow morning.

Saturday morning, December 25, 1830. The examiner having been called away at an early hour, left a notice to the parties to attend here at ten o'clock on Monday morning next, and returned home before the hour to which the examination stood adjourned.

Monday morning, December 27, 1830, at 10 o'clock. The examiner attended, at the same place, and received notice that the parties and counsel had met, as usual, at 10 o'clock, on Saturday morning last, and mutually agreed to postpone the further examination of Halliday Jack-

son, until Tuesday morning, December 28, at 10 o'clock, at the same place.

Tuesday morning, December 28, 1830, at 10 o'clock. The parties and counsel attended. Mr. *Price* for the complainant and Stacy Decow. Mr. *Sloan* for Joseph Hendrickson.

The witness, HALLIDAY JACKSON, not attending, and Mr. *Price* producing a letter from Doctor Parrish, stating, that the wife of the witness is dangerously ill, it was mutually agreed by the parties and counsel, that the further examination of this witness be postponed, until such time as the said witness can attend for the purpose, at this place: and that Mr. *Sloan*, on receiving notice from Mr. *Price* of such day and time, shall immediately inform the examiner thereof, and that the said examination shall from thence be proceeded in until concluded. And further, the shortness of the days, and the inclement season of the year, rendering it extremely inconvenient for witnesses from a distance, the counsel, and the examiner, to attend here at this time, the further postponement of the whole examination is on these accounts, mutually desirable: for remedy whercof, the following agreement was entered into, and executed, viz:

		<i>In Chancery of New Jersey.</i>
BETWEEN		
THOMAS L. SHOTWELL, Complainant,	}	ON BILL OF INTERPLEADER, &c.
and		
JOSEPH HENDRICKSON and STACY DECOW, Defendants.		

It is agreed between the parties in this cause, and their counsel, that after the examination of Halliday Jackson, a witness in this cause, shall be closed, the further examination of witnesses shall be postponed until the first day of March next; on which day the examination of witnesses shall recommence, before the same examiner, at this place, without notice from either party to the other. That the counsel for the complainant and Stacy Decow, shall then, in the first place, proceed to examine his witnesses, until the testimony, on the part of the complainant and Stacy Decow, shall be closed. That immediately thereafter, the counsel, on the part of Joseph Hendrickson, shall proceed to examine such further witnesses, and give such additional testimony on his part, as shall be deemed necessary on his part, until his testimony shall be closed; and thereupon, the counsel for the complainant, and Stacy Decow, shall immediately proceed to examine and close their additional testimony. That after the examination shall be so recommenced on the first day of March next, there shall be no further postponement, until the whole testimony on both sides be fully taken, and the examinations closed, without the assent of both parties. And it is further agreed between the parties and counsel in this cause, that in case the examinations of witnesses in this case shall not be closed before the term of the court of Chancery, to be held in April next, the said complainant and Stacy Decow shall not, on that account, object to the counsel for Joseph Hendrickson, at the said April term, applying to the chancellor to name the masters, or justices of the supreme court of New Jersey, who are to sit

on the argument of this cause, at such time and place as shall be
 fully assigned for that purpose. * * * * *

Dated, Camden, December 25, 1830.

(Signed)

ELI K. PRICE,

Counsel for Shotwell and Decow.

ABRAHAM BROWN,

Of counsel for Hendrickson.

Which said agreement is here recorded, at the request of the parties
 and their counsel.

J. J. FOSTER,

Master and Examiner.

Tuesday, March 1st, 1831.

Pursuant to the above recited agreement of the parties and their
 counsel, the examinations in this cause were resumed, at the house of
 William Ridgway, in Camden, in the county of Gloucester, on Tuesday
 the first day of March, eighteen hundred and thirty-one, in the presence
 of the parties, or such of them as would attend, and *Eli K. Price*, of
 counsel with Decow and Shotwell, and *Jeremiah H. Sloan*, of counsel
 with Hendrickson.

HALLIDAY JACKSON, the witness under cross-examination at the time of
 the last continuance, being called, appeared, and the closing part of his
 testimony was read over to him; when Mr. *Sloan*, on the part of Joseph
 Hendrickson, one of the defendants, resumed the further cross-examina-
 tion of the witness, by putting this question:

What were the proceedings of the board of managers, to the defence
 of which you attributed the confusion in the meeting of the contributors
 of the asylum?

A. As I have passed through a scene of deep affliction, in the loss of
 a beloved companion, since I was under examination before, many mat-
 ters in relation to this examination, that were then fresh in my memory,
 seem to be very much obliterated from my mind. I may therefore make
 some repetitions, and possibly some contradictions. But as to the
 question now asked, it occurs to me, that the opposition that arose in
 the meeting, to the proceedings of the board of managers in the preced-
 ing year, was founded on their having attempted to expel from their
 board two of their members, Charles Townsend, I think, and Joseph
 Warner, under a pretext that they were disowned, as they said, by the
 Society of Friends. These kind of disownments, I have before spoken
 of, that arose out of the separation that had taken place, and were at-
 tempted to be put in force by the Orthodox party—they were not con-
 sidered *valid*, or as having any effect, by the great body of the society,
 to deprive them either of their civil or religious privileges. When the
 reading of the minutes of the board of managers was gone through, I
 think there were some objections made to that part of it. The clerk
 attempted to make a minute, as I suppose was usual on such occasions:
 but he did not state that the proceedings of the board of managers
 were approved or disapproved; a copy of which minute I have, if it is
 thought proper to have it. Strong objections were then made by those
 who are called the Orthodox party, to the minute the clerk had made,
 and I think it was then that they urged that the subject be decided by
 vote, as I have before stated, perhaps; and as I before stated, it was
 objected to on the part of Friends, as it was apprehended there appeared

to be unfair means taken to increase the number of votes taken on one side. A proposition was made, I think, by Dr. Joseph Parrish, that the thing might be amicably settled by disinterested arbitrators, or by referring the thing to that effect. But this was treated, as I thought, rather in an unbecomingly contemptible manner, by some on the other side, who stood pretty high in the society; and something was said about an appeal to the law, and to the decision of the Supreme Court; but I don't recollect particularly what was said. And after the attempt that was made, as I before stated, by Thomas Evans, to call over the names, the meeting, in the midst of confusion, and the clerk discovering that nothing could be done with any degree of order or decorum, he made a minute, adjourning the meeting, and, I suppose, one-half of those collected then withdrew, I can't take to say, and left the others to take their own course.

Q. Did those minutes read by Daniel B. Smith, state the cause of the difficulty which had arisen in the meeting of the contributors?

A. I cannot recollect the words of the minute or minutes then recorded on the book of the board of managers, but I am pretty sure that the difficulty arose on the ground that I have mentioned in my preceding answer. I don't recollect that there was any other objection to the proceedings of the board of managers for that year.

Q. Did the board of managers make any minute, or propose to make any minute, to expel those persons; or was it a minute declaring that those persons had lost their right to seats in that meeting, in consequence of the testimonies of disownment which had been issued against them, by the terms of its constitution?

A. As I said before, I cannot remember the *form* of the minute when it was considered, I believe, that it was an attempt to expel them, for which they had taken counsel of one of their attorneys in the city, from their own statements which they had made to him, I suppose.

Q. Was the right of the board to make such a minute after the case was questioned by either of the persons to whom that minute alluded?

A. I believe the right of the board was questioned, not only by the persons, but by Friends generally, to expel any member of the board, in consequence of those sham disownments to which I have alluded. They were taking the law and the judgment all into their own hands, to decide a very important case, for which we have now spent many weeks of time and place, and for which I have no doubt many more will be spent, to be decided by a higher tribunal than the board of managers, whether those disownments were *valid* or not. When I used the terms, Friends generally, I meant on our side of the question, as I have done throughout this examination.

Q. In consequence of this doubt that was entertained of the propriety of this minute, and of the right of these members to retain their seats, was not a statement of facts, or series of questions, agreed upon by the parties, and by consent submitted to Horace Binney, Esquire, for his opinion on the subject?

A. I remember to have seen some statement of the circumstances of the case, but I can't undertake to say what they were, but I understand that it was not united with by all the managers, but that there were several, a number, I think. I have been informed five or six, four or five or six, that were opposed to it, for the following reasons, I will permit me to read, (taking out a paper.)

Counsel. I am inquiring into facts, and do not ask for the opinion of the managers.

Witness. Well, they considered it an *ex parte* thing.

Q. Who were these managers who objected?

A. Charles Townsend and Joseph Warner were two, and I think Jonathan Thomas; if I remember right, if he was a manager. I think he was a manager that year, for I think I remember his being in our neighbourhood, and saying something about it. This is information I received from others. Jonas Preston, I think, I have been informed, was one that objected, and one or two others that I have heard of, but I cannot remember their names. I knew but very little about the affairs of the asylum, as I was never present but at that one meeting. These Friends, and I believe Friends generally, believed that there was no power delegated by the constitution to the board of managers, authorizing them to decide as to the right of membership.

Q. Were these objections made by the persons named at the time of preparing this statement for submission to Mr. Binney?

A. I apprehend it was about that time, and that it was done while the thing was under discussion; not being present, I cannot speak as to matter of fact.

Counsel. [Handing to the witness a pamphlet.] Does this pamphlet contain that statement that was submitted to Mr. Binney?

A. It is likely it does. I heard it read over that night. [The witness examines the printed statement, and further says,] This is the same statement that I have seen before, and heard read; it is the same that they have published; but whether it is the same statement that was read at the asylum company, I cannot say as to every word. I have not ever heard it questioned.

The said pamphlet is offered in evidence on the part of Joseph Hendrickson, and marked by me, Exhibit No. 41.

Mr. Price objects to the admissibility of the pamphlet as evidence, on account of its being an *ex parte* matter.

Q. Did not a large proportion of the managers of your party concur in that statement?

A. I cannot say who our party were, among the managers, unless I had the list, and even then I should not be able to designate them; but my impression is, that there was not one that was then considered as uniting with those I call Friends, that united with the measures that were then taken to expel the two Friends spoken of.

Counsel. My question was, whether they concurred in that statement prepared for submission to Mr. Binney?

A. I cannot say any thing further on the subject; but I was going to add, that from the conduct that appeared in the meeting of the asylum company that evening, they had taken a ground to expel all from the meeting of the contributors who were similarly situated with Charles Townsend and Joseph Warner. The clerk of the meeting informed me, that the following minute was laid on the table.

The witness holds in his hand a paper, and further says: I was in the meeting when this paper was laid on the table; but I have this from the clerk, and it will show what were the attempts they made to expel such of the members as I have stated.

Mr. Sloan. Any information the witness has obtained from the clerk, and which is not within his own knowledge, is clearly inadmissible.

The witness declines reading the paper.

Q. Referring the witness to the pamphlet Exhibit No. 41. Is the con-

to be unfair means taken to increase the number of votes taken on their side. A proposition was made, I think, by Dr. Joseph Parrish, that the thing might be amicably settled by disinterested arbitrators, or something to that effect. But this was treated, as I thought, rather in a contemptible manner, by some on the other side, who stood pretty high in society; and something was said about an appeal to the law, and a decision of the Supreme Court; but I don't recollect particularly what was said. And after the attempt that was made, as I before stated, by Thomas Evans, to call over the names, the meeting, in the midst of confusion, and the clerk discovering that nothing could be done with any degree of order or decorum, he made a minute, adjourning the meeting, and, I suppose, one-half of those collected then withdrew, I can't undertake to say, and left the others to take their own course.

Q. Did those minutes read by Daniel B. Smith, state the cause of difficulty which had arisen in the meeting of the contributors?

A. I cannot recollect the words of the minute or minutes that were recorded on the book of the board of managers, but I am pretty certain that the difficulty arose on the ground that I have mentioned in the preceding answer. I don't recollect that there was any other objection to the proceedings of the board of managers for that year.

Q. Did the board of managers make any minute, or propose to make any minute, to expel those persons; or was it a minute declaring that those persons had lost their right to seats in that meeting, in consequence of the testimonies of disownment which had been issued against them, by the terms of its constitution?

A. As I said before, I cannot remember the *form* of the minute; but it was considered, I believe, that it was an attempt to expel them; and for which they had taken counsel of one of their attorneys in the city, from their own statements which they had made to him, I suppose.

Q. Was the right of the board to make such a minute afterwards, questioned by either of the persons to whom that minute alluded?

A. I believe the right of the board was questioned, not only by those persons, but by Friends generally, to expel any member of the board, in consequence of those sham disownments to which I have alluded. It was taking the law and the judgment all into their own hands, to decide on a very important case, for which we have now spent many weeks in this place, and for which I have no doubt many more will be spent, to decide by a higher tribunal than the board of managers, whether those sham disownments were *valid* or not. When I used the terms, Friends generally, I meant on our side of the question, as I have done throughout this examination.

Q. In consequence of this doubt that was entertained of the propriety of this minute, and of the right of these members to retain their seats, was not a statement of facts, or series of questions, agreed upon by all parties, and by consent submitted to Horace Binney, Esquire, for his opinion on the subject?

A. I remember to have seen some statement of the circumstances of the case, but I can't undertake to say what they were, but I understood that it was not united with by all the managers, but that there were several, a number, I think. I have been informed five or six, four or five, or five or six, that were opposed to it, for the following reasons, if you will permit me to read, (taking out a paper.)

Counsel. I am inquiring into facts, and do not ask for the opinions of the managers.

Witness. Well, they considered it an *ex parte* thing.

Q. Who were these managers who objected?

A. Charles Townsend and Joseph Warner were two, and I think Jonathan Thomas; if I remember right, if he was a manager. I think he was a manager that year, for I think I remember his being in our neighbourhood, and saying something about it. This is information I received from others. Jonas Preston, I think, I have been informed, was one that objected, and one or two others that I have heard of, but I cannot remember their names. I knew but very little about the affairs of the asylum, as I was never present but at that one meeting. These Friends, and I believe Friends generally, believed that there was no power delegated by the constitution to the board of managers, authorizing them to decide as to the right of membership.

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Q. Referring the witness to the pamphlet Exhibit No. 41. Is the con-

stitution of the contributors of the asylum for the relief of persons deprived of their reason, on page 16, &c. of this pamphlet, a correct copy of the constitution of the said asylum company?

A. I have no reason to doubt but that it is a correct copy of the said constitution.

The witness compares several articles with another copy in his possession, repeats his belief that it is a correct copy, except the ninth article, which appears to have been added since the separation.

Q. As the construction to be given to this constitution was a legal question, about which the managers had differed in their opinions, did not that portion of the contributors whom you call Orthodox, offer to refer the disputed points by amicable agreement, to the judges of the Supreme Court of the State of Pennsylvania, to be by them decided, on a proper state of the case, as the best mode of bringing the difficulty to a final and friendly determination?

A. I can hardly admit that Friends did generally believe it to be a legal question to be decided by law, whether those disownments that arose out of a separation in the society, and where about one-fourth of the society was undertaking to disown the other three-fourths, should be considered valid or not. Friends, as a society, had always had a testimony against going to law, where it could be avoided; and, therefore, the friendly proposition was made by Dr. Parrish, and advocated by a number of other Friends, I think, that they should agree to leave it to impartial arbitrators to be settled in an amicable way, as I have before stated. But the other party strongly urged the propriety of its being submitted to a legal tribunal, as it is called, and their conduct has since, I think, fully evinced that they have maintained that doctrine, by dragging Friends into these harassing, perplexing, and protracted law-suits, in their own defence, to maintain their rights and privileges.

Q. Was, or was not, the proposition made contained in the last question?

Witness. Please to read the question again.

The question is again read to the witness.

A. There was a proposition made at that time, but whether in the words used in the question, I wont undertake to say. It was a proposition to refer it to the Supreme Court, as I understood it.

Q. Did they not agree to the proposition made to refer it; and name the judges of the Supreme Court, as the persons to whom it should be referred?

A. My memory will not serve me to state distinctly what was said—but I remember that the Supreme Court was mentioned—and it may be that the judges of the Supreme Court were named. I will not undertake to say it was not so—there was a great deal said on both sides—and a good deal of warmth manifested by some individuals on both sides. And I think our Orthodox Friends have stated in their periodical paper, in allusion to this circumstance, that the discussion that took place was not very edifying; and that it would be no loss to posterity if it should descend into oblivion; and well, I think, they might say so, as respected their part of it.

Q. Was any objection made, on the part of those whom you call Orthodox, to referring this question, by amicable agreement, to disinterested persons; and was not all the difficulty that existed, created by the difference of opinion, as to who should compose that tribunal? The O

arty, as you style them, insisting that the judges of the Supreme are the most suitable persons to decide the question, as the stance they filled, precluded the idea that they had any feelings of for one party or the other; and the opposite side objecting to the arbitrators?

have stated the proposition of Dr. Parrish, for an amicable ad- by impartial arbitrators, and the objections that were made to is also admitted, that a proposition of this nature was stated by orthodox party, and to refer it to the Supreme Court, or judges of t—but I apprehend this was not the main ground of the difficulty occurred in that meeting. If I remember right, the main difficulty in deciding whether the minutes of proceedings of the boarders should be approved or not—and, if I am not mistaken, that question upon which the votes of the company were attempted in.

your party refuse to refer this matter to the judges of the Supreme Court?

I think those who spoke to it, did object to that proceeding, as far as I recollect.

What were the objections made to the proposition of Dr. Parrish?

I cannot undertake to recite the language that was made use of—I remember well the impression it made on my mind at that time—the remarks were very severe, and unbecoming in Friends who stood in society. I remember I undertook to say something myself on the subject, but I was told by one of the Orthodox Friends that I had no right to be heard—no right to speak.

Do you state that there were any objections made by the Orthodox, as you call it, to a proposition for terminating this difficulty by a cable reference?

There was no proposition of that kind made, but which included reference to the Supreme Court, or that brought forward by Dr. Parrish.

Is the discipline, on the subject of appeals, guaranty to an individual the right of objecting to any person appointed to hear his appeal?

My friend refers himself to the discipline exhibited, and after examining it, answers: I don't know that there is any express letter of discipline in the case, but it has been a common practice, both in the Yearly and Yearly Meetings.

Was not the proposition from Philadelphia Quarter to the Yearly Meeting in 1827, to settle this right by a specific rule of discipline on the subject?

Was not at that Quarterly Meeting when the proposition came forward—neither do I remember the language of the proposition that was brought forward to the Yearly Meeting; but as that privilege had been extended to individuals, as long as I can remember, attending Quarterly and Yearly Meetings, the impression I received from the proposition of Philadelphia Quarter, and I believe it was the impression that was generally had, was, that that Quarterly Meeting had in view to curtail that privilege, or done away.

Second-day evening of Yearly Meeting week, in 1827, was there any difference among some of your party, as to the course you should

pursue, and was it not then concluded, that John Comly should propose an indefinite adjournment of the meeting, on the following morning?

A. There was no such conference, to my knowledge; if there was, I knew nothing of it—neither did I ever hear or think of such a thing, until I heard John Comly make a proposition of that nature in the Yearly Meeting.

Q. After he made that proposition, and it had been some time under discussion, did he not declare in the meeting, that it was evident the meeting was not prepared to adopt such a measure, and that he was willing to continue to act as assistant clerk, and that the meeting should proceed in its business, or words to that effect?

A. I cannot remember as to the first part of the question, what he might have said. I wont undertake to say in regard to the meeting not being prepared—but I remember his submitting with some reluctance, at the request of some of his friends, and perhaps some of the Orthodox party also, to remain at the table as assistant clerk. And I will now take this opportunity of correcting a little error, I think, that I committed in my testimony in chief. I was then under the impression, and believe stated, that he did not take his seat at the table, until after he had made the proposition for an adjournment—but I believe he took his seat at the table, by the side of the clerk, when he first came into the meeting.

Q. Was not the subject brought up from the southern Quarter to that meeting, dismissed at the suggestion of Robert Moore, a member of that Quarter?

A. When that subject was brought before the Yearly Meeting, it was drawing towards the close of the week; and by that time it was very evident that the Yearly Meeting was not in a qualified state to act upon any important subject; and therefore that subject, as well as two others that came up from Bucks and Abington Quarters, were dismissed, without being urged much by Friends. I have not a clear recollection, but it seems to me that Robert Moore did say something about that subject from the southern Quarter. I think, however, that Joseph Turner, another member of that Quarter, expressed his dissatisfaction that their grievances were not like to be heard, nor any redress afforded them.

Q. Was not *that* after it was concluded to dismiss the subject?

A. I think it is likely it was; but I have not a clear recollection of it.

Q. Did not John Comly and Robert Moore request him not to urge the subject, nor to enter into particulars when he proposed doing so?

A. I don't recollect any reply that either Robert Moore or John Comly made to him; but I think Samuel Bettle interrupted him while he was speaking, and stopped him from going on with the explanation he was going to make, if my memory serves me right.

Q. Were not the subjects that came up from Bucks and Abington dismissed at the instance of John Comly?

A. I have no recollection of who spoke first on the subject: John Comly was sensible of the state the Yearly Meeting was in, and I can state what I have frequently heard John Comly say—that Samuel Bettle first suggested to him the propriety of having these subjects dismissed,—all these subjects that came up in the reports—and wished John Comly to use his influence with his friends to have those subjects from Bucks and Abington Quarters dismissed; and he, Samuel Bettle, would use his

with his friends to have that subject passed over that was up from Philadelphia Quarter; which subjects, it was apprehended would produce a great deal of excitement in the Yearly Meeting which Samuel Bettle feared the consequence of. But how far did it offend John Comly to favour the putting off those subjects, I don't know.

Was it not previously understood among the active members of the Society, that Robert Moore should make one of these propositions, and John Comly the other?

John Comly: I know of no such understanding, nor I don't recollect to have seen any such thing, previous to its being opened in the meeting. I know Joseph Turner and Robert Moore members of the Society of Friends, and which you call the Society of Friends?

Q. Have they been so ever since the separation?

A. Yes; they have always been members of the Society of Friends since they were separated from them: Robert Moore had not a birthright, I believe.

Q. Is it not consistent with the usages of the Society, as well as the usages of the superior meetings, to appoint committees to visit inferior meetings for their strength and assistance?

A. Yes; it is the privilege that superior meetings have, and it has frequently been exercised, when it has been thought that such a visit has been useful and salutary, and when it could be gone into in unity and harmony: but without these qualifications, I have never known an instance of it until the Yearly Meeting of 1827.

Q. Did you return until 10 o'clock to-morrow morning.

A. Yes, Tuesday morning, March 2nd, at 10 o'clock. Cross-examination by Jackson continued. Present the same as yesterday.

Q. Now by Mr. Sloan. Until the Yearly Meeting of 1827, have you known an instance in which strong opposition was made to the appointment of a Yearly Meeting's committee?

A. No; I don't recollect that there was ever but one committee appointed by the Yearly Meeting to visit the subordinate meetings generally when I was present: that was perhaps seven or eight years before; I believe, was done in the unity: I don't recollect any opposition. I do remember another committee, and perhaps two, when I was attending the Quarterly and Monthly Meetings, where I was a member; and there have frequently been committees appointed in the Yearly Meetings to visit the Monthly Meetings; but as far as I recollect it has always been in the unity, and by general consent.

Q. Now I to understand that these committees spoken of, are the only ones that have been appointed within your recollection, or that they were the only two that were appointed when you were present at the Yearly Meeting?

A. They seem to be the only two that I have a distinct recollection of being present at the time when they were appointed. I think there was a committee appointed a good many years before, to visit the subordinate meetings; and perhaps to rather enforce the recommendation of the Yearly Meeting on the support of our testimony against the unwise use of spirituous liquors: and perhaps some other things were recommended that I don't now recollect: but I cannot remember the

time, nor have I a distinct recollection of being present at the Yearly Meeting: I was two years absent, living in the state of New York.

Q. Is it not a matter of general repute and understanding in the society, that these committees have been frequently appointed by the Yearly Meetings of the society?

A. I think it has not *very frequently* occurred in the Yearly Meetings, but it has been done in various instances, when concerns of that kind have been opened and united with by the Yearly Meeting.

Q. What reasons were assigned in 1827 against the appointment of the Yearly Meeting's committee, and for what cause was that appointment not united in?

A. I have stated in my testimony in chief, that it was introduced from the women's meeting, and that it was very evident to the Yearly Meeting at large, from what had taken place in the previous meeting of ministers and elders, and from the general state of society, that it was evidently of a party character, and that instead of healing the breaches that were already made in the society, it would have the effect to make them wider, and produce discord and confusion; which apprehension was abundantly verified by the fruits that were brought forth from the labours of that committee. I think these were the material reasons that were offered, in objecting to their appointment, as far as I can recollect.

Q. Do I understand that these reasons were assigned at the time, in the meeting, against this appointment?

A. I cannot recollect the particular sentiments that were offered; but I am satisfied that these reasons were offered by many Friends: and there was a great disapprobation expressed in the meeting to that appointment.

Q. Did that opposition exist at the time of the appointment of the committee, or had it ceased before the appointment was finally made?

A. It existed for a long time: and as long perhaps as it was thought it would have any avail: but Samuel Bettle being at the table, and acting as the organ of the meeting, announced his intention to make a minute to appoint such a committee. I think there was still some opposition made, after that: but Friends seeing that they were determined to carry their views into operation, they finally desisted, and let them take their own course; and name their committee of their own kind, which they did; but not by any means as a mark of unity with it. No Friend that I have knowledge of, expressed their approbation of the measure, or named any person for the committee, as far as my recollection now serves me.

Q. Was there any objection made to the appointment of any person named on that committee, or, was any one proposed to be placed upon it, rejected?

A. I stated before, no Friend mentioned any name, and of course as they could have nothing to do with it, they objected to none, as I remember, that were named. A large portion of that committee, I think, were the same names that were appointed in the meeting of ministers and elders, thus constituted in their double capacity to enforce their party measures, so far as they had influence on the subordinate meetings. But as Friends had no unity with the appointment, either in the meeting of ministers and elders, or in the general Yearly Meeting, they could not be recognised by Friends, in many of the Quarterly and Monthly Meetings.

. You have said that this measure originated in the women's meeting—had you ever before known the originating of a measure in the women's meeting assigned as a cause, why it should not be united with by men's meeting?

. I don't remember a circumstance of the kind ever before coming to the women's to the men's meeting. But I don't assign that as the reason why it could not be united with; I mentioned it, as a circumstance. I apprehend the same causes would have operated, and the same objects been made, if it had originated and been first opened in the men's meeting.

Q. By whom was the opposition to this appointment made?

A. I can't undertake to give the names; but it was by a large portion of the meeting, and much the largest portion; there seemed to be a general burst of disapprobation.

Q. Was the opposition entirely confined to that portion of the society whom you call Friends, and who, since the separation, are in unity with the Yearly Meeting held at Green street?

A. I think it was not entirely so in the *first instance*. If my recollection serves me, I think John Cox made some opposition to it, and expressed his doubts about the Yearly Meeting being in a qualified state to go into such a weighty matter; and I think Jonathan Evans first expressed some sentiments of a similar nature: and I think there were a few others, perhaps; but I do not recollect who they were now: but whether this was policy in them or not, I must leave, to prepare the way for them to carry their own views in the end. Jonathan afterwards united with the measure, and urged it, but I do not recollect that John Cox did press any unity with it: and my impression at the time was, that it was a painful circumstance to him, as being a man who was disposed to preserve harmony and peace as far as his influence extended, in my apprehension.

Q. You have said that Samuel Bettle announced his intention of making such a minute; did he then state to the meeting, that he had first entertained some doubts on the subject, but that they had been removed by the eventual unity of sentiment which appeared to exist upon the subject, and that he should therefore prepare the minute?

A. Yes. I think he expressed something of that kind; I don't remember exactly his words. But I think that was what first raised the impression on my mind, that they had rather been acting in concert in a political way, to give it a better colouring; for if he had drawn his conclusions of unity in the meeting from the expression that was made, he could only have had his views directed to his own party.

Q. After he had thus expressed himself, was any opposition made to the entry of the minute?

A. I have stated that before, in a previous answer: I think there was opposition made.

Q. Whose duty is it, in meetings for discipline of the society, to gather the sense of the meeting, on any subject brought before it?

A. It is generally considered the duty of the clerk, to collect what appears to be the prevailing sense of the meeting. And so far as I have had experience, in that capacity in some other departments, I have always found it my duty to record what appeared to be the prevailing sense, from the general expression of sentiment, without any regard to my own particular views on the subject. But there is a great difference in re-

gard to the decision of subjects in this way, between a new matter that is brought before a meeting, and between the ordinary occurrences and circumstances that unavoidably come under the notice of meetings for discipline, and are really necessary to be acted upon; such as dealing with offenders, and granting certificates, and considering the concerns of Friends who are going on religious visits and other ordinary circumstances of that nature; but when any *new matter* is opened to a meeting, such as considering the alteration of some rule of discipline, or such as appointing a committee, as in the case of which we are now speaking, unless the meeting could come to a conclusion in a good degree of harmony to unite in the measure, it would be the duty of the clerk to dismiss it without being further acted upon.

Q. Had Samuel Bettle been clerk of that meeting for many years?

A. Yes; he had acted for some nine or ten years, eight or ten perhaps, I don't remember as to that.

Q. You say, that the declarations made by him at the time of making the minute, first induced you to believe that he had been acting in concert with the other persons alluded to; had you ever before, in his administering the duties of that office, suspected him of such duplicity?

A. I don't know that any circumstance had ever before occurred, that would afford ground for a suspicion of that kind. There was a good deal of dissatisfaction expressed with his conduct on one particular occasion previous to that, in the spring of 1823, when those extracts, which were, in general, called the creed, were introduced by the Meeting for Sufferings, and disposed of by the Yearly Meeting, as I have heretofore stated, there was a good deal of dissatisfaction expressed then among some Friends, perhaps more out of the meeting than in the meeting, with the kind of minute he had made on that occasion. But on this occasion there was every reason to suspect there was *design* in pursuing that measure, from the part he had taken, and strongly urged, in the appointment of a committee in the meeting of ministers and elders.

Q. You have said, that this was evidently a *party measure*; of what *party* do you speak?

A. I speak of the Orthodox party, to be sure, as they were the persons who urged it, and carried it into operation over the heads of their brethren: and I consider it against the peace and harmony of the church.

Q. Do you style them a party, from their unity of sentiment and harmony of action, in the different meetings for discipline?

A. I think they might justly be styled so, from their general conduct, for several years previous to that time: and perhaps they might justly assume the name of a party from the time of that combination of elders of Philadelphia, who pursued measures contrary to the general views of the society at large.

Q. During that week, and before the appointment of a committee, had there not been held one or more meetings for conference, by a portion of the society, in the intervals of the Yearly Meeting, or between its sittings?

A. Yes. I have given a full account of that in my testimony in chief I think, and the causes that operated on a large portion of the society to hold those meetings of conference, which I need not again go over.

Q. Were the members of Philadelphia Yearly Meeting indiscriminately invited to attend those meetings?

A. I cannot say how extensive the invitation was; they were not kept secret, nor held in secret: but it is not very likely that those who were known to be warm partisans on the Orthodox side, were invited. I did invite one, or two, or three, myself, who did not incline to go: one of them particularly, who has become a pretty thorough-going Orthodox, told me then, he did not think he had any thing to do with it; but he did not wish to discourage others from going.

Q. Was any notice whatever given in the regular sittings of the Yearly Meeting, that it was intended to hold these meetings?

A. No. There was no public notice of that kind given, to my recollection.

Q. Those meetings then were convened upon private invitations given by those who originated them to such persons as they thought proper to ask?

A. I suppose that was the way in which the information was spread: as Friends felt a freedom in their own minds to mention it to their friends. The first one that was held, I think, I have stated, was on Fourth-day evening, when perhaps fifteen or twenty Friends attended; the next one, on Fifth-day evening, was increased to quite a large number, I think, I can safely say, to perhaps two hundred: the next one was still increased to a large number, on Sixth-day evening; and on Seventh-day, after the Yearly Meeting closed, I should suppose there were more than five hundred, by the appearance in Green street meeting house. I did not hear of any person being deprived the privilege, that I recollect, of sitting in those conferences.

Q. Who were present at the first meeting spoken of on Fourth-day evening?

A. Well, I don't think I could name one half of them. I have been trying to recollect, but it seems to be gone from me. I know I was there myself: Dr. Gibbons from Wilmington, Joseph Churchman, I think, Joseph Foulke, John Watson, perhaps, of Buckingham, Jesse Kersey; it seems to me Isaac Parry was there; Doctor Shoemaker, and there was a number of others that I won't undertake to name; for, I might name some who were at the next conferences, but not at the first one; I think its likely John Comly was there, but I have not a distinct recollection of his being with us that evening; I think Abraham Lower was there: I believe he was there; and I think Doctor Robert Moore was there. Isaac T. Hopper, it is probable, but I don't have a distinct recollection; I am rather inclined to think that Samuel Comfort was there, but that seems to be not clear to my recollection.

Q. Was Benjamin Webb at that, or either of the other conferences?

A. I have no recollection of his being at either of them, or at the Yearly Meeting that year. He might have been there, but I don't recollect it.

Q. Was not the ostensible object of that meeting to confer together, and decide upon your course, in opposition to the views of those in the Yearly Meeting, whom you style the Orthodox party?

A. I think I have in my testimony in chief, pretty fully explained the motives and views, that a large portion of the society then had, in order to consider what steps would be best to take to restore harmony and unity in the church; and as this examination is now like to assume the character of a book, I don't wish to burthen the reader with unnecessary

ry repetition, and would be glad to refer to that part of my testimony in chief.

Q. I am not inquiring after the general views of a large portion of the society; I am asking of you the particular object, for which those persons were convened at that time?

A. Well, it was not merely on the ground of opposition to what was called the Orthodox party; but from a real and sincere desire to consider what means would be best, under the direction of best wisdom, to pursue, in order to restore peace and harmony in the society; and for that reason, a few Friends were named to prepare an address, in order to be considered on the next evening. I was one of that number so named.

Q. Was it not for the purpose of conferring together, and adopting such measures as might be thought most expedient to produce a concert of action among those who entertained views similar to your own, that you were thus convened?

A. The object was to express *our* views to the members of our Yearly Meeting generally; which were expressed through the medium of that address; and the result of that address, and the effect it had on society at large, did produce a concert of action, and a unity of sentiment, which resulted in the reorganization of the Yearly Meeting, I trust, on its ancient and harmonious principles. I cannot say what the views of Friends generally were; but I can have no doubt that it was expected that it would produce a concert of action among those who united with the views that were held up in that address.

Q. Had an essay towards that address been made before you met that evening?

Witness. On Fourth-day evening?

Counsel. Yes—all my questions relate to that evening.

Witness. No, there was no such address prepared, that I had any knowledge of, till after we had been together that evening.

Q. Was it prepared during that evening, whilst you were together?

A. I have stated that there were a few Friends appointed that evening, to prepare something by way of address, who agreed to meet the next morning; and the essay that was produced to that committee in the morning, must have been written after ten o'clock the night previous, and between that and the time we met next morning.

Q. Was it prepared by the committee jointly, or by one of its members?

A. It was prepared by one individual; and I think there was no person that assisted him in it, that I know of. It was laid before the committee when they met in the morning, and was examined, revised, and some alterations made, it is likely, and it was produced the next evening at Green street meeting house, and read, as has been before stated.

Q. By whom was it prepared?

A. I don't know whether it is proper to mention the name of an individual who prepared such an essay. I think it sufficient to say that it was revised and adopted by the committee who were named for the purpose.

Q. You have stated that you were one of the committee,—can you name the others?

A. I don't think I can recollect to name them all: Dr. Gibbons was one—Joseph Churchman—I think Joseph Foulke, if I remember right

—perhaps John Watson, of Buckingham—myself—Jesse Kersey, I think, was with us. I have no recollection of any other. I think there were five or six. Abraham Lower might have been, but I have not a distinct recollection whether he was on the nomination or not.

Q. In the meeting at which this committee were appointed, were any instructions given to the committee for the preparation of that address?

A. The circumstance of what took place in that conference, seems to be very much gone from me, as to particulars; but the general state of the society having been in some measure taken into view, and the divisions and difficulties that existed in the meetings of discipline, and the united sentiment, I suppose, of those that were then met, was, that it was necessary something should be done, and if any particular instructions were given to this committee, it must have been to prepare something consistent with the views that were expressed in that conference.

Q. Had it been understood that the address should contain a proposition, that those who united with them in their views, should withdraw themselves from the meetings of those whom you style the Orthodox party?

A. I don't remember what was expressed particularly on that point; but I have very little doubt but Friends by that time were pretty fully satisfied in their own minds, that there was no other way to restore peace and harmony, than by separating or withdrawing from those who had been the instruments in producing, and seemed by their conduct disposed to continue, those disorders in the church, by assuming the right to rule over their brethren.

Q. Was the discussion of which you speak, and the appointment of that committee, the only business that was done at that meeting?

A. I have no recollection of any other business being done; and I believe that that was all that was done at that first conference.

Q. What was done at the next two meetings, on Fifth and Sixth-day evenings?

A. The next meeting, that is, on Fifth-day evening, when Friends first met, there was a time of silence for some time—it appeared to be a very solemn time. Joseph Foulke, I think, appeared in supplication. After some time, the object of the meeting, perhaps, was opened by some Friend—I don't recollect who. There were a number of Friends expressed their views, in unison with the object that was held up to view.

[NOON.]

John Comly, I recollect, was behind that company in gathering, that evening. After he came in, he informed the meeting, that he had been a close conversation with his friend Samuel Bettle, on the subject of the difficulties that then agitated the society; and that Samuel had acknowledged to him that he could not see any thing better than that there should be a separation, or words to that effect, and said a good deal more on the subject of their conversation, which I cannot now recollect. The address that had been prepared, was then introduced and read to the meeting, and the evening was spent in the consideration of it. I think it was afterwards read by paragraphs, and perhaps some alterations made, or proposed to be made. Friends appeared to be very much united in the general view that was held up in that address. I cannot recollect all the particulars that took place; but after the evening being

spent in the consideration of it, it was agreed to adjourn until the next evening.

According to agreement, there was a meeting on Sixth-day evening, when perhaps more than double the number attended—I should judge so from the appearance. The address was again read—Friends appeared to be very deliberate in their consideration of it—seemed very desirous to weigh the subject fully in their own minds, and the evening passed away. I do not recollect particularly what passed that evening, more than that Friends concluded it would be best to hold another meeting after the rise of the Yearly Meeting, and to agree upon how that address should be signed. Perhaps it was that evening there was a proposition made to appoint a committee to visit Friends, as way might open, in different parts of the Yearly Meeting, and to confer with them on the subject of their difficulties. [See correction at the close of the cross-examination.] The meeting then adjourned to meet at the rise of the Yearly Meeting the next day; when, from the appearance of the business before the Yearly Meeting, it was expected the meeting would conclude with a short sitting on Seventh-day morning.

Q. Was the mentioning of the conversation with Samuel Bettle by John Comly, the first time that the idea of a separation had been mentioned in those meetings?

A. I have fully stated that before—that that subject had been proposed in the previous conference held on Fourth-day evening, or I meant to have so stated—but I believe it was not the first conversation that passed between John Comly and Samuel Bettle on the subject. Samuel Bettle was a man of penetration enough to foresee that a separation must and would take place, if himself and his party pursued the measures that they had been active in, for several years previous to that period; and it had been announced by some of the Orthodox party, that there must be a separation, as was by Thomas Wistar in Philadelphia Quarterly Meeting, as I have before stated—and I think the first intimation I had of such a sentiment being offered, was said to have come from Joseph Whitall. I was told this by some Friends; it was common repute, when I was down at the southern Quarter, in the winter of 1826.

Q. Was not the committee, of which you have spoken, appointed at the suggestion of John Comly, for the purpose of carrying down this address into the families of Friends, and explaining the necessity and propriety of the measures it proposed?

A. I have not a distinct recollection that John Comly was the first who proposed the committee being appointed; but, I think, he fully approved of it—and as far as I recollect, there was entire unity in the meeting with the proposition for appointing such committee, to visit Friends in their tried and afflicted state, without any specific instructions.

Q. Was not the essay of that address prepared by Doctor Gibbons?

A. No, it was not; when it was produced in the committee that were nominated for the purpose, Doctor Gibbons, I think, was then named to act as clerk to that committee, and of course it underwent his inspection, and the alterations were made by his pen, I believe.

Q. At which of those meetings was it first concluded that a separation had become necessary?

A. I thought that was fully answered before. I think it was pretty much the settled opinion of the Friends who met first. I considered the

subject was progressing, as more Friends every subsequent conference, and by a more united expression of sentiment, they more and more confirmed the necessity of such a measure, in order to save society from anarchy and ruin.

Q. Was not then the object of that first meeting to confer together as to the mode of carrying that conclusion into effect?

A. I think that was one of the objects; and perhaps might be said to be the only one.

Q. Was there any objection made to the minute of adjournment, made by the clerk, at the close of the sitting of that Yearly Meeting?

A. I don't recollect any thing being said after the concluding minute was read. Friends did not consider themselves as deprived of exercising their religious rights and privileges in a society capacity, by any of the overbearing acts of the Orthodox party at that Yearly Meeting—and they immediately repaired to Green street meeting house, after the rise of the Yearly Meeting, to confer further on these subjects.

Q. You have spoken of an epistle issued by the Meeting for Sufferings soon after the separation—will you look at this, and see if it is the same?

The witness examines a small pamphlet put into his hands by the counsel, and then answers: Yes, I believe this to be the epistle to which I alluded.

The pamphlet shown the witness, entitled "An Epistle to the Members of the Religious Society of Friends, belonging to the Yearly Meeting of Pennsylvania, New Jersey, Delaware, and the Eastern parts of Maryland and Virginia," (Philad. Conrad. 1827,) is offered in evidence on the part of Joseph Hendrickson, and marked by me Exhibit No. 42.

The witness further answering, says: As I have mentioned something concerning this epistle in my examination in chief, I will now in this place remark, that I think the first eleven or twelve pages of it are no ways applicable to us as a religious society, at the present day. And on pages 13, 14, and 15, will be found glaring misrepresentations and falsehoods, as it regards the motives and views of Friends.

Q. You have also stated, that a declaration was issued by the Yearly Meeting of 1828. Is this the declaration alluded to?

A pamphlet, entitled "A Declaration of the Yearly Meeting of Friends held in Philadelphia," &c. Printed by Thomas Kite, 1828—32 pages—being shown the witness, he answers: Yes, this is the declaration I alluded to.

The said pamphlet is offered in evidence on the part of Joseph Hendrickson, and marked Exhibit No. 43.

The witness further answering, saith: I will not now spend time in pointing out the many, as I consider, false representations that are made in this book, which, were they believed, would go to destroy our character as a christian people, but I would refer those who are desirous of satisfying themselves on the subject to an able review of it, which they will find in the last volume of "The Friend," or "Advocate of Truth."

Q. Do I understand the witness, as referring himself to that review for a correct exposition of the facts, and of the views and sentiments of himself, and those with whom he acted?

A. No. I refer them to that as a refutation of the charges and misrepresentations that I apprehend are made against us in this declaration of the Yearly Meeting.

A. As the witness has referred himself to that review, and appears now to make some distinction in it, as to what he does, and what he does not adopt, I wish him to state how far we are to rely upon that review as being correct?

A. I don't know that I can draw the distinction, as I have not the book now here to refer to.

Q. Do you recollect any part of it that is not correct?

A. It is a good while since I have read it; but I was of opinion that it contained a refutation of the charges in general that were made against us, in this declaration.

The question being again put to the witness, he says, he does not recollect any part of it that is incorrect.

Q. Did not the meeting, held by you in Sixth-month, 1827, appoint a committee to attend the meetings for discipline, and to afford advice and assistance to such as were disposed to unite in their views?

A. Yes. I think there was such a committee appointed.

Q. How many such committees have you appointed since, in your society?

A. I cannot say how many; but there was one appointed in Tenth-month following, at the time the Yearly Meeting was held, and I think there was another in the spring of 1828; there was also one appointed last spring, 1830, which stands now under appointment to visit the Quarterly and Monthly Meetings, as way may open for it.

Q. When you speak of representatives being sent from five of the Quarterly and some of the Monthly Meetings, which composed the Philadelphia Yearly Meeting, to your meeting in Tenth-month, 1827, do you mean that all the members of those meetings united in sending them, or that they were sent from those meetings by those who were attached to your party?

A. No, they did not all unite; there was a small party in each of these Quarters, or at least in four of them, that separated from Friends, and held what they called Quarterly Meetings of their own, in several instances, at different times from the regular times of holding such Quarterly Meetings, and at different places. The southern Quarter, I believe it might be said, did not separate; they were so much united with Friends, that at that time I believe it was considered they had not enough of those they called Orthodox, to sustain a meeting of any kind. But as I understood afterwards, they sent down a committee from what they called Concord Quarterly Meeting, and gathered up a few individuals, which hold a meeting down in that Quarter, and which their committee from Concord Quarter yet continue to visit. These parts of the Friends who formerly constituted those Quarters, of course did not form a part of the Yearly Meeting, which was held in Tenth-month.

Q. Do you mean to be understood in the same way when you speak of your Yearly Meeting having been sustained by the Quarterly Meetings of Philadelphia Yearly Meeting?

A. Yes, certainly.

Q. When you speak of the epistle of the meeting of Sixth-month, 1827, being united with by western and other Quarters, do you allude also to such portion of the Quarters only, as sent representatives to your meeting?

A. Yes. I do so. Of course it was not united with by the Orthodox party. And by their committee of the Yearly Meeting, which they

ointed in 1827, a powerful opposition was made to it in all the quarters where I was present.

Q. What reasons were assigned by the Yearly Meeting's committee to their opposition to your measures? Did they not insist that those meetings, held by you, were contrary to the order of the society, and a violation of the discipline?

A. O yes: to be sure, they undertook to plead that ground. But Friends in the Quarterly Meetings generally well knew that they had violated the discipline, by the arbitrary measures that they had been pursuing: and which I have abundantly made appear, I think, in my testimony in chief. And Friends in the Quarterly Meetings were not at that time of day, going to be imposed upon by a committee of that kind, appointed out of the unity, and for a *party* purpose. They were used to *judge for themselves*, as to their rights and privileges, and I fully believed then, and believe still, that that committee of the Yearly Meeting, together with the aid they received from some of the *British* Friends that were then in this country, done more towards accelerating effecting the separation, than all the labours of the committee of Yearly Meeting of which I speak, held in Tenth-month.

Q. Under the discipline, can one Monthly Meeting interfere with or reverse the proceedings of another Monthly Meeting; as for instance, when Ezra Comfort and Isaiah Bell had been disowned by their Monthly Meeting, and before the Yearly Meeting restored their rights of membership, if the Philadelphia Monthly Meeting had considered them unlawfully deprived of their rights, could they have appointed a committee to inquire into the matter, and upon a report of that committee, that the charges against the persons disowned were altogether unfounded, and the meeting were fully satisfied of the correctness of that report, could they have received them into membership?

A. Well, I don't know that there is any discipline in the case, authorizing a Monthly Meeting so to do; or else I am very well satisfied Friends in Philadelphia would soon have exercised that privilege—for as individuals, I believe many of them made use of their influence to prevent them from being disowned; and to get them reinstated after they were disowned. But about the time the separation took place in society, many oppressive measures took place in several of the meetings in the city, and attempts were made to deprive Friends of their religious rights and privileges, without sufficient ground of complaint, and the bonds of religious union becoming rent asunder by the arbitrary proceedings of one party, as I have heretofore shown, it was then considered by some of the country meetings, as an act of christian duty to receive Friends from the city, without the usual form of certificate, as a case of absolute necessity, under then existing circumstances.

Q. Would it have been consistent with the usages and order of the society to have thus interfered?

A. No. It would not have been consistent with the former usages of the society, in the harmonious times of the society.

Q. Would not such interference have been considered as a violation of the discipline, and have subjected such meeting to the censure of its superior meeting?

A. That would depend upon how the circumstance was viewed by the superior meeting.

Q. Under the discipline of the society, (I speak now of the society

as it existed prior to 1827,) could a person, who was a member of one Monthly Meeting, be received into membership by another Monthly Meeting, without producing a certificate from the Monthly Meeting to which he belonged?

A. We might refer to the discipline to decide that question; but I don't pretend to say that there is, or was at that time, any discipline authorizing a Monthly Meeting so to do: yet I think it has been done. If I have been rightly informed, I think, many years ago, the Monthly Meeting of Philadelphia received John De Marsellac without a formal certificate.

Q. Had he been a member of any other meeting, when he made that application?

A. He was considered a member of the society, I believe; but I don't know where his right of membership was; it was not in this country. I suppose Friends acted upon the necessity of the case.

Q. Can you name any other instance?

A. I don't know any other instance that I can recite: it seems to me there was one or two more, that I have heard of; but if so, they have gone from me.

Q. Is the discipline of the society the standard to which they refer themselves for the settlement of questions of order and regularity of proceeding?

A. Yes; the discipline is considered the outward rule to govern the proceedings of society: but there are *two* things there never was any discipline made for, I think; they are, for first establishing a Yearly Meeting, and for a general revolution in the Yearly Meeting, or separation, if I may so term it, where the discipline cannot operate.

Q. Has any body but the Yearly Meeting the power to alter the discipline?

A. The Yearly Meeting is considered the supreme head, when its constituent branches are united in harmony, and united in their proceedings and conclusions; but when that bond of union comes to be broken, by a small party assuming the reins of government, and exercising lordship over their fellow members, and the other parts of the society, by a general association of views and sentiments, should believe it right to meet separate and apart from those attempting to exercise an undue control over them, I think they would have a right so to do.

Q. Under the discipline of the society?

A. By their original compact as a religious body, I was going to add.

Q. In what part of the discipline, or original compact, is the right reserved to a portion of the body to set up separate meetings in violation of the discipline of the society?

A. I have stated before, that I believe there never was any discipline made for the setting up of a Yearly Meeting, nor for a revolution in the society: and I suppose the Orthodox themselves have so considered it, for they can't produce a shadow of discipline, to my knowledge, to authorize their proceedings in a great variety of instances, where a few of them have separated from a Monthly Meeting—in many instances, not more than six, eight, or ten; and in some, not more than two; and have gone to a private house, or some other place, and held what they called a Monthly Meeting: and so likewise in some of the Quarterly Meetings, as for instance in Concord Quarter, a small number of them remained together after the business of the Quarter was gone through; (of the men

Friends, I should say, the women's meeting having concluded:) they held what they called a Quarterly Meeting, I suppose, and issued a minute directed to the Monthly Meetings constituting that Quarter, requiring them to send their representatives the next Quarter to a different place, from where the Quarter was held in its regular order, and which had been long established. The same thing occurred in the western Quarterly Meeting:—a small minority, consisting of those called the Orthodox, remained together, and agreed to hold their next Quarter at a different place from the regular place of meeting, where it had always invariably been held.

Adjourned until 10 o'clock to-morrow morning.

Thursday morning, March 3d, 1831, 10 o'clock. Cross-examination of Halliday Jackson continued. Present the same as yesterday.

The witness continues his answer to the last question. I have stated that I believed the Orthodox themselves must have considered that there was no provision in the discipline to meet the circumstances in which they themselves, as well as Friends, were placed, by the separation that took place in the society. I have noticed a few instances of their proceedings in setting up what they called Monthly Meetings: I might have noticed a great many more. I have also noticed two instances in the Quarterly Meetings, of a similar character, and I might have noticed several other instances of the like kind in Quarterly Meetings. I will now notice two instances of the Yearly Meetings which I have referred to in my testimony in chief. Although I have stated that there is no provision in the discipline, as I apprehend, pointing out the way in which a Yearly Meeting shall be established, yet the Yearly Meeting of New York, in the summer of 1828, being brought into a difficulty on account of a separation that was then going on, and had taken place in the society, the Orthodox part of it, composing, as was then supposed, about one-fourth of those in attendance, left the meeting in an abrupt manner, went to another place, I think to some kind of an academy or school-house, and set up what they called a Yearly Meeting. The Yearly Meeting also of Baltimore, in the fall of the same year being brought into a similar difficulty, on account of the separation that had taken place in the society, the Orthodox of that Yearly Meeting composing a very small minority of the whole, went off from the meeting, contrary to the former usage and custom of the society, and set up a Yearly Meeting, I think held in a school-house; or what they called a Yearly Meeting. I have mentioned these circumstances briefly, to show that they themselves have had to resort to the same means, in order to sustain their meetings, in open violation of any rules of discipline in the case, and of all former usage and practice in the society. They have even went further than we have done, in that respect; for in many of their small Monthly Meetings, which have not been composed of one-fourth, and in some instances not one-tenth, and perhaps in a few instances not more than a twentieth part of the number as they had formerly stood, they have assumed the right to disown all the other part of society, and issued testimonies, the charges in which, in many of them that I have seen, were for setting up and holding meetings contrary to the established order of society; when they themselves were transacting their business at a meeting set up in the manner in which I have described.

Q. Are the several cases embraced in the last answer stated, from a personal knowledge of the facts, or from the representations of others?

A. All the instances which I have cited of the separation in those meetings; as to the Monthly Meeting of which I was a member, I know it to be a fact; I also know, from my own personal knowledge, of the same fact taking place in a number of other Monthly Meetings. I was also present at the two Quarterly Meetings, which I have instanced, when the separation took place. I was also present at the two Yearly Meetings I have instanced, when the separation took place there. I, of course, was not present, in any of the meetings of the Orthodox, after the separation, to witness their proceedings; and, therefore, have no personal knowledge of that;—but from common repute, I believe it to be correct: and from the evidence I have had, in seeing a number of the testimonies that they have issued, or purporting to be testimonies of disownment of the opposite party to them, from being members of the religious Society of Friends; and, perhaps, in some instances, from being members of a meeting they never belonged to, or laid any claim to.

Q. In all those instances of which you have spoken, when those whom you call Orthodox, withdrew themselves from the Monthly and Quarterly Meetings, had not those, whom you call Friends, either formally attached themselves to, or declared their unity with, the meeting held in Green and Cherry streets, annually?

A. As it regarded the meetings in Pennsylvania, or composing the Yearly Meeting of Pennsylvania, I believe they were all of those who were desirous of reorganizing, or perhaps more properly speaking, sustaining the Yearly Meeting of Pennsylvania, on the ancient principles of the society, in harmony, brotherly condescension and love: and although they had agreed to hold their Yearly Meeting at Green and Cherry streets, as they were locked and barred out of the house in which it had formerly been held, and also by mutual agreement had concluded to hold it one week sooner than the former time of holding it, in order that they might not incommode the citizens of Philadelphia by coming into collision with the opposite party, as would undoubtedly have been the case, if they had not changed the time of holding it—it was still the same Yearly Meeting of Pennsylvania, composed of nearly three-fourths, as has since been ascertained, of the whole numbers as they had formerly stood. It never could be considered by any impartial tribunal, that a house in which a meeting might be held, was the identity of a Yearly Meeting; and I suppose the Orthodox themselves must agree with me in that point, or they must at once give up the identity of what they call their Yearly Meetings in New York and Baltimore; and further, it must be a very dry Yearly Meeting indeed, if bricks and mortar, covered with shingles, were to be the identity of it. The identity of a Yearly Meeting, therefore, must rest upon the *united sentiments* of the great body of Friends composing it. [The question is again read to the witness, he says,] that he thought he had answered it; and that he wishes to be understood as answering, that they had done so, and he has above explained the manner in which they had so united themselves.

Q. Did they not withdraw themselves from the house during the sittings of the meetings, and declare, that their reason for so doing was for the purpose of continuing their meetings in connexion with the ancient Society of Friends, from which they considered, that those whom

in call Friends, had separated themselves by this unity and connexion with the meeting at Green and Cherry streets?

A. Yes, as far as I can recollect. I think they generally made that charge against us, and gave that as the ground for seceding from those meetings, and setting up meetings of their own. But, as I have before abundantly shown, I think, wherein they had violated the order and common usage of society that produced this state of things, it is not necessary to go over it again: and we were willing, I think, in most instances that I have been acquainted with, to concede to them, the same privileges of making their choice that we claimed for ourselves; believing, that there were conscientious men amongst them, who thought at least, however, that they were acting right. Friends have not, in the Yearly Meeting of Pennsylvania, proceeded to disown them on the ground of this separation, as they have done us. [On referring again to the question, the witness further answers,] in some instances they did not withdraw during the sittings of those meetings, but remained together afterwards, and done their business in their own way.

Q. In those cases in which they remained, did they not request publicly those who were friendly to holding a meeting in the regular order of society, in connexion with, and subordinate to, the Yearly Meeting held in Arch street, to remain for that purpose?

A. Yes; I think they did in a number of instances. I cannot say they did in all where I was present; and there were some instances, it may be proper to state, where the parties were nearly equally divided, as was the case, I recollect, in two of the Monthly Meetings in the Quarter that I am a member of, (however, I cannot say, they were equally divided, as Friends were the majority in both those meetings,) the Orthodox having the clerks on their side, Friends were under the necessity of withdrawing, I think, in one instance; and in the other, in remaining behind, after the Orthodox had gone through with their business in their own way; and as I am disposed to give them all the credit, I think, belongs to them, I will mention a circumstance or two that took place, which, I think, were the only instances of any thing like a compromise on their part, that I was a witness to. A number of the committee of the Orthodox Yearly Meeting, and also a number of the committee who, I think, were appointed at the conference held at Green street in Sixth-month, 1827, were also there in attendance. The difficulty in those two meetings at that time, apparently, was on the ground of where they should direct their reports, and their representatives at the ensuing Quarterly Meeting, which in its regular order, was to be held at Darby. But in pursuance of a mandate from the Orthodox Quarter, which had previously been held at Concord, out of the usual order of society, as I have before stated, having directed by a minute the reports from the Monthly Meetings to be sent to Concord the next ensuing Quarter. This brought on a debate, which lasted perhaps longer than was profitable to either party, and the Orthodox having the clerk on their side, Friends, at length, in one of the Monthly Meetings, made a proposal, that if they would furnish Friends with a copy of the reports from the different Preparative Meetings, and with a book of discipline, I think, they would withdraw, and let them take their own course, and send their reports where they pleased. Jonathan Evans, who was one of the Yearly Meeting's committee, being there, at length yielded the point, and I think, his own son-in-law, being clerk at the table, he was ordered to

go to writing, and furnish duplicates of the reports from the different Preparative Meetings; which was accordingly done, and Friends quietly withdrew.

In the other Monthly Meeting that I have mentioned, the same thing occurred, by the Orthodox part of the meeting, after Friends had consented to let them go on with their business in their own way, agreed to furnish Friends with duplicates of the reports, which Jonathan Evans also consented to, and Friends remained together at that meeting, and done their business quietly in their own way, after the others had withdrawn. There was another act of theirs in that meeting, which I think is worth noting. They, the Orthodox, being considerably in the minority, agreed, in the presence of Friends, to hold their next Monthly Meeting at a different place from the usual place of holding it, which they were then in. These, I think, as I have before stated, are the only instances of any thing like a compromise on their part, that I was a witness to: and I am willing it should be placed to their credit. I may properly, perhaps, in this place, state that I believe Friends very generally in the Yearly Meeting of Pennsylvania, have held out views, and made offers to them, of a friendly and amicable settlement of differences about meeting houses, and property belonging to the meetings: but in no instances that have come to my knowledge, have they been willing to enter into any compromise of that kind.

Q. In the case alluded to by you, of the separation in Baltimore Yearly Meeting, had not the clerk, with the approbation of those whom you call Friends, made a minute that that meeting would hold no correspondence with the Yearly Meetings of London, New England, Virginia, or North Carolina, or the Yearly Meetings held by those you call Orthodox in New York, Philadelphia, Ohio, and Indiana, before the Orthodox, as you style them, did withdraw; and was it not in consequence of that minute being made, that they did withdraw?

A. We have made an exhibit of the extracts of that Yearly Meeting, which I am willing to refer to: my memory wont serve me—I cannot recollect that such a minute was made previous to those Friends withdrawing. [The witness having looked over the exhibit of extracts, &c. says,] there is no such minute in the extracts. I might state from my present recollection, that at the first sitting of that Yearly Meeting, the clerk reported that there was a number of papers put into his hands, which came from other Yearly Meetings, probably purporting all of them to be epistles; but that some of them were of an unusual character; and a proposition was made, I think by the assistant clerk, that they should be put into the hands of the representatives for examination previous to their being read. The representatives, I think, did not report any conclusion to have them read until perhaps the fourth day in the week, if I remember right; though they had, I think, on the afternoon previous to that, produced something in writing which was read in the meeting; and some parts of it not being satisfactory, and especially some objections being made to it by some of the Orthodox Friends, and Thomas Evans, who was there in attendance to assist his brethren in counsel and advice, made a very fluent speech on the occasion. The document was again referred to the representatives for further examination and revision. Before it was again produced to the meeting, I think, on the next morning, perhaps, the representatives reported as their judgment, that it would be best to have all the papers purporting to be epistles, &c.

om other Yearly Meetings, read in the Yearly Meeting; which, I think, as accordingly done. Some of them, to be sure, were of a very unusual character, which I cannot attempt to give an outline of their contents: but, I think, from Indiana, New York, and Pennsylvania Yearly Meetings of Friends, were epistles of brotherly love, in the usual way: some of the others, if I remember right, especially from the Orthodox Yearly Meeting held in Ohio; perhaps the one held in Virginia, and I think something of that nature that came from London, were all of a very unusual character. I think a committee was appointed in the Yearly Meeting to prepare answers to those epistles that were of a brotherly character, and in the usual way, and that afterwards the document that is here contained in these extracts, (Exhibit P,) was agreed to by the Yearly Meeting, as a fair representation of the state of society in that Yearly Meeting.

Q. Am I to understand that this exhibit contains all the minutes of that Yearly Meeting?

A. No; it is not usual to print all the minutes in the extracts of a Yearly Meeting—I can't remember such a minute.

Q. Can the witness recollect what minute was made on that subject?

A. I cannot recollect what minute was made, or any minute that contained what is asked for in that question; but I wont undertake to say there was not such a minute.

Q. Did not those who withdrew, or some of them, publicly declare in the meeting, at the time of their withdrawal, that that meeting, by its proceedings, had dissolved its connexion with the great body of the Society of Friends on this continent, and in Great Britain, and invite all those who wished to continue in fellowship with the ancient and established Yearly Meetings of the Society of Friends, to meet at a time and place then named, for the purpose of continuing the Baltimore Yearly Meeting of Friends on its ancient foundation, and as a constituent part of the society at large, which it was apprehended could not then be done with those whom they apprehended had departed from the order and discipline of society by their proceedings?

A. I think there were declarations of that nature made by several individuals, perhaps two or three, previous to their seceding from the body: but that Yearly Meeting was peculiarly circumstanced that year, as they had the previous year, 1827, continued their usual epistolary correspondence with the Yearly Meeting of Pennsylvania, although it had been held at Green street house. Our Orthodox Friends in Philadelphia had been industriously engaged, both by letters addressed to Friends abroad, declarations and epistles from their Yearly Meeting and Meeting for Sufferings, in trying to convince the world that the Society of Friends, as I now call them, had departed from the ancient faith and the discipline of the society. They had sent a letter, I think, of their Meeting for Sufferings held in Philadelphia, to the Meeting for Sufferings, perhaps, in London; in which, to be sure, they did not give us a very good character, from the documents that I have since seen, which came from England in relation to that business. The Yearly Meeting of London, therefore, had so far acted on their ex parte evidence, and the misrepresentations made respecting us, that they had declined a correspondence with us: and as Baltimore Yearly Meeting, which being, I think, the oldest Yearly Meeting on this continent, had continued to correspond with us, and being our neighbours, and well acquainted with

all the circumstances of society here, had no reason to decline that correspondence. But the Yearly Meeting in London, if my memory serves me, in that year informed them that they could not continue their correspondence with them (if I am not mistaken as to the year,) if they continued their correspondence with, or unity with, the Yearly Meeting of Pennsylvania, to which I have alluded. Baltimore Yearly Meeting, therefore, was brought to a point, in which they must decide, although they were disposed to continue all their former relations with the Yearly Meetings that they had previously corresponded with; but as by the epistles they had received that year, they had become informed that several of the other Yearly Meetings, where no separations had taken place in society, had come to the same conclusion that the Yearly Meeting of London had; and these conclusions appeared to be founded on the ex parte evidence and misrepresentations of our opposing brethren. The Yearly Meeting of Baltimore, however, with a very small exception, agreed to continue their correspondence with the Yearly Meeting of Pennsylvania, and the other Yearly Meetings on this continent, from whom they had received epistles of brotherly affection and kindness.

Q. By the "Yearly Meeting of Pennsylvania," do you mean the meeting held in Green and Cherry streets?

A. I do so.

Q. By the other Yearly Meetings spoken of, from whom they had received "epistles of brotherly affection and kindness," do you mean the Yearly Meetings in correspondence and unity with that meeting.

A. Yes. I believe all those Yearly Meetings were in unity and correspondence with the Yearly Meeting of Pennsylvania, held at Green and Cherry streets. I ought further to state, that the Yearly Meeting of Friends of Ohio, was also in unity and correspondence, both with the Yearly Meeting of Pennsylvania and Baltimore, but their epistle that year had miscarried by some means, and was not received by Baltimore Yearly Meeting.

Q. Was that conclusion come to by the Baltimore Yearly Meeting, before a portion of the meeting withdrew, as you have stated?

A. I think it was so.

Q. In the case of the New York Yearly Meeting spoken of, before the withdrawal of that portion of the meeting spoken of, had not a minute of the removal of the sittings of the Yearly Meeting been made by the clerk, and was it not publicly declared, that they were withdrawing in accordance with that minute?

[NOON.]

A. There was a great deal of confusion and noise in the meeting at the time, so that it was almost impossible to hear distinctly at the time what the clerk said. But after the proposition was made by Thomas Shillitoe for their party leaving the meeting, (I mean those called Orthodox,) the clerk appeared to be making a minute of some kind; and I think it was announced by some person, but I don't know who, that he was making a minute of adjournment. Great opposition was then made to his reading such a minute, as the Yearly Meeting had come to no such conclusion to adjourn the meeting—and in the midst of noise, I think the clerk got up, and informed the meeting that it was not a minute of adjournment; but it not being generally heard, I suppose, over the house, I think, if my recollection serves me, Elias Hicks got up and

formed the meeting what the clerk had said, that it was not a minute adjournment, and desired the meeting to hear it, and they would afterwards judge of its contents. Before, however, it was read, some person, I think, near the table, announced that it was a minute of adjournment; and when Elias Hicks appeared to be satisfied that that was the case, I think he got up again, if I remember right, and informed the meeting that it was a minute of adjournment, and cautioned the meeting against hearing it, or cautioned the clerk against reading it, I can't remember which; something to that import, however. The clerk, however, persisted in reading it, and did read it in the midst of noise and confusion, and, although I could not distinctly hear all of it, my impression was, at the time, and has always been since, that it was a minute of adjournment, and I thought I did hear the word *adjourn* or *adjournment* in it. I think it was announced by some Friend that the Yearly Meeting was not adjourned; but be the minute what it would, those called the Orthodox party, seemed to understand it, by their immediately rising, and going out of the house as fast as they could. I was not out of the house, but I understood they remained a little while in the yard, and then walked to the school-house, or place they had previously provided for the purpose. By some who counted them, it was said they were about the number of two hundred and forty or forty-five, which company included a considerable number of strangers. I have stated, I think, in my testimony in chief, the numbers that remained, and how the Yearly Meeting proceeded afterwards, which may not be necessary to repeat.

Q. Were not a number of persons who were regularly members of the Monthly Meetings in Philadelphia received into membership, without certificates, by the Monthly Meeting of Darby, held by those whom you call Friends, and subordinate to the meeting held in Green and Cherry streets?

A. There were a number of persons received in that way. I think, between ninety and one hundred, including their families. And, I think, I have pretty fully before shown the reasons for thus receiving them, from the state the society was then in; although it was out of the usual and customary usage of society in receiving by certificates. We received them, I believe, on the same principle that Friends in Pennsylvania would receive a poor runaway slave, who might have escaped from the hands of a tyrannical master, in one of the southern states. We believed it to be an act of christian duty towards our fellow professors of the same faith, or society. And further than that, we were informed by those individuals, or some of them who had come from within the limits of the southern district Monthly Meeting in Philadelphia, that they had asked the question of that Monthly Meeting, as they could not enjoy their religious rights and privileges in it, in peace and quietness, whether they would grant them certificates to some of the neighbouring country meetings, without their removing their situation; an account of which will be found, and the memorial which they presented to Pine street Monthly Meeting, on page 209, of Cockburn's Review, which has been made an exhibit in this examination. But they could get no satisfaction from the Monthly Meeting, that they would be permitted an indulgence of that kind; but on the contrary, the Orthodox party in that Monthly Meeting commenced their operations to deal with some of them by visits from their overseers, &c., and under these circumstances

they applied to Darby Monthly Meeting, and were cordially received under their protection.

Q. Would it have been consistent with the discipline and usages of the society to have granted such certificates?

A. The Monthly Meeting certainly had the power so to do.

Q. Under the discipline of the society?

A. I don't know any particular discipline of the society that draws the boundary line, and that says a member shall live on such a side of a road, or the other side of a road, to belong to such or such a meeting. I know there is a general understanding in the society, that when a member removes his residence within the compass of another Monthly Meeting, he should request and produce a certificate to that Monthly Meeting. But I know that there are many exceptions to this general rule; and there are now members of the Monthly Meeting to which I belong, who have long resided much nearer to some other meetings, than the meeting they belong to: and as it was their desire to do so, there is no objection to it, nor is it considered as any breach of order. I believe, in the city of Philadelphia, they have had some private arrangements among themselves, by which they have drawn a line for their members; but this might be considered what might be called by-laws of their own, without any discipline in the case; and even these have not been strictly kept to; for even Isaac Bonsal, one of their Orthodox ministers, who belonged to the western district Monthly Meeting, removed his residence, and resided several years, as I have understood, within the limits of the southern district Monthly Meeting, without removing his right of membership by certificate. I have also heard of several other circumstances of a similar nature, but I cannot now remember the names.

Q. In the cases mentioned by you, in which individuals have been permitted to retain their right of membership in one Monthly Meeting, although they may have removed nearer to another Monthly Meeting, could they, consistent with the discipline and usages of the society, transfer their right of membership to the Monthly Meeting within whose limits they had removed, without a certificate from the Monthly Meeting of which they had been members?

A. I have fully shown before, that there was no discipline provided for a revolution in the society, and that these cases which did occur of that kind, arose out of the state the society was then in, and was therefore an act of necessity, out of the common usage, and not according to the strict letter of the discipline. The hedge was the discipline which had been, as it were, around the society, had been broken down by a small party assuming the reins of government; the bonds of religious union were rent asunder; and therefore it was, that circumstances of this kind must unavoidably occur, unless the other part of the society, which was much the largest, should quietly submit to jeopardize their rights of membership to the mercy of a few dominant rulers of the Orthodox party, especially while they had the clerk of a Monthly Meeting and the overseers on their side, which they had taken pretty good care to arm themselves with, in several of the Monthly Meetings in Philadelphia, as I have understood from common report.

Q. Without asking for your opinion of the necessities of the case, I must request a plain answer to the question, whether the right of membership could be transferred from one Monthly Meeting to another, in the cases alluded to in my last question, without certificate, without

ing the discipline and usages of the society, as that discipline had theretofore been administered?

The discipline is an exhibit—I may refer to that for answer.

ask for the usages of the society, as well as the discipline?

I thought my answer was full enough; but, however, I am willing to counsel a further answer—that in the former harmonious state of the society, under the discipline that then existed, and that still it would have been considered a departure from the usages of the society, and I suppose a violation of the rule of discipline in the case. From the foregoing explanations, I hope it is now understood.

You have spoken of cases in which members were permitted to exercise their right of membership in one Monthly Meeting, although removed nearer to another Monthly Meeting,—until the cases come to, have you ever known any instances in which a member, removed within the acknowledged compass of one Monthly Meeting, without removal, having transferred his rights of membership to a distant Monthly Meeting, either with or without certificate?

I don't know that I have ever known an instance of a member transferring his rights any great distance, without removing his situation by a certificate or without a certificate, previous to the circumstances which I have mentioned; but I think I have heard of many instances in the country, where Friends have transferred their right by certificate, without removing their situation; where they have been situated, as some of the members of our Monthly Meeting that I alluded to, and thought it convenient for them to belong to another Monthly Meeting, and have had certificates without removal.

Was not one of the individuals so received into membership by another Monthly Meeting, under dealings in his own Monthly Meeting, on account of immoral conduct, at the time you received him?

The counsel will please to state which Monthly Meeting he was

received. From the southern district.

Ans. I have stated before, that after the Friends who came from another Monthly Meeting to Darby, requesting to be received by us, they were received at the southern district Monthly Meeting, had commenced negotiations of dealing, by visits of their overseers, &c. and I think that at our Monthly Meeting when the first application was made kind. But some Friends of the meeting had been apprized, that the individual thus making application, was so circumstanced as to be under dealing in the Monthly Meeting in the southern district. Our Monthly Meeting did not receive or comply with the request of the individual, at that time; and being desirous to satisfy themselves on the occasion, they appointed a committee of several Friends to inquire into the standing and situation of the individual who had thus to be taken under the care of Darby Monthly Meeting, with his family. Not being at the Monthly Meeting, I was not one of the committee; but I remember they reported at the next Monthly Meeting, that they had had an interview with several of the respectable members of the Monthly Meeting of the southern district, and that they were fully satisfied, that there was no ground for the complaints or charges; and perhaps it was something that had arose out of the different opinions of the different parties in the Monthly Meeting of the southern district. That committee satisfied our Monthly Meeting so.

fully on the subject, that the individual, with his family, were received under our care.

Q. Did the committee make any inquiry of the overseers of the southern district Monthly Meeting, who had treated with the individual and preferred the charge?

A. As I was not on that committee, I cannot be certain about that: but there is a strong impression on my mind that there was at least one of the overseers consulted on the occasion.

Q. Was not that individual disowned by the Monthly Meeting of the southern district, on the charge then existing against him?

A. I can't tell as to that; I never was at that Monthly Meeting after that: and have never seen their testimony of disownment,—they might have disowned him and a hundred others; there is no doubt but they did disown him.

Q. Will you refer me to the rule of discipline which authorizes one Monthly Meeting to send a committee within the limits of another Monthly Meeting, to inquire into their proceedings against an offending member, on a charge of immoral conduct; and upon a report of that committee to receive such member into membership, before he had made satisfaction to his Monthly Meeting, and received their certificate?

A. No; I don't pretend to plead any discipline in the case, as I have fully before shown, that the discipline was inoperative at the time these circumstances took place, and which our Friends on the opposite side must acknowledge; if we may judge from their own proceedings in a great variety of instances.

Q. Is there any rule of discipline which gives a Monthly Meeting a right to dissolve its connexion with its own Quarterly Meeting, and join itself to another, without the consent of its Quarter?

A. I will refer to the discipline itself on that subject, as the best criterion to judge by.

Q. How far is Darby from Philadelphia?

A. About seven miles and a half, by the milestones: not more than six, from the permanent bridge.

Q. How many Monthly Meetings were there within the limits of the city and Liberties of Philadelphia, at the time spoken of in a previous question?

A. There were five at the time spoken of, within the limits of Philadelphia and Liberties.

Q. Do I understand you then as saying, that these proceedings of yourself and associates, at the period spoken of, were not sanctioned by the discipline of the society; but justified in your apprehension in consequence of the revolution which had taken place in the society, not provided for by the discipline?

A. I think that must have been the understanding that our Monthly Meeting had at that time: that it was an act of necessity and christian duty.

Q. Were these proceedings sanctioned and united with in sentiment, by the Yearly Meeting held in Green and Cherry streets, and its constituent branches?

A. I don't recollect that the subject was ever officially laid before the Yearly Meeting. It seems to me that these circumstances might have been stated by individuals in the Yearly Meeting, held in Tenth-month, at Green street, and owing to the peculiar tried situation that many parts

of the society was then in, where the Quarterly and Monthly Meetings had not then divided, that there was some kind of sanction given to those proceedings that had then taken place; and it continued to be practised in Cherry street and Green street Monthly Meetings, in receiving those members without formal certificates, who had become uneasy in the Orthodox Monthly Meetings, and wished to unite with Friends, and knew that they could not get their rights transferred in the former customary way by a formal certificate: and I have been at Cherry street Monthly Meeting, (or rather the Monthly Meeting of Philadelphia held at Cherry street, which is the title of it, I think,) where ten, twenty, thirty, and on one occasion, forty-five individuals were received in one meeting on their own application. But, I think, there is no instance come to my knowledge of receiving a member from another Monthly Meeting of Friends in connexion with our Yearly Meeting, without a certificate. We consider the discipline obligatory on us in that respect, as it formerly was, before the present difficulties arose in the Society of Friends.

Q. Has the Darby Monthly Meeting, of which you are a member, formed a branch of that Yearly Meeting since its institution?

A. It is a branch of the Yearly Meeting of Pennsylvania, which is now held in Green and Cherry streets, and considers itself a branch of the same Yearly Meeting that it has been a component part of for near one hundred and fifty years.

Q. When the Yearly Meeting of Philadelphia was first established, did it include any meeting belonging to a pre-existing Yearly Meeting?

A. The Yearly Meeting of Philadelphia was first established at Burlington, as I have stated in my testimony in chief, by Burlington Monthly Meeting, and I suppose they considered themselves members of the Society of Friends; but what Yearly Meetings they considered themselves accountable to, I don't know. I think there were two Yearly Meetings established on this continent previous to that period, but to which of them they laid claim, I cannot say. I am not very well acquainted with the historical facts in relation to the origin of Yearly Meetings on this continent: but I do not find that Burlington Monthly Meeting consulted any other Yearly Meeting, in the establishment of what is now called the Yearly Meeting of Pennsylvania, &c. I suppose, Friends, in their early settlement on this continent, wherever they were located, so as to conveniently form a compact of their own, they had a right to organize a Yearly Meeting, and did so. Therefore, as I have stated before, that there was no discipline for the establishment of Yearly Meetings, each Yearly Meeting of itself being an independent body, had a right to form their own code of laws, and discipline, for the government of their own members, in all their subordinate meetings; and I believe this right has never been conceded by any one Yearly Meeting to another; not even to the Yearly Meeting of London, where the society first rose, and were gathered out of the various sects, and from the Protestant churches of that day,—although they were each separate and independent bodies, for their mutual comfort and edification, they have kept up an epistolary and brotherly correspondence with each other, until the interruptions that have taken place within a few years past, owing to the causes that I have already largely stated.

Q. You speak of this being the *same Yearly Meeting*, that originated

in Burlington more than 150 years ago, and has been continued down to the present time; how long has it been held at Green and Cherry streets?

A. That has been already stated when it was first held at Green and Cherry streets, and the reasons given why it was held there; by the former place of meeting being secured by bolts and locks, by a minority who had assumed the reins of government.

Q. Does it keep a record of its proceedings?

A. It certainly does so.

Q. Had the meeting not previously been held in Arch street, for many years?

A. Yes. That Yearly Meeting had been held in Arch street for many years.

Q. Was there any entry made in the records of the meeting held at Arch street, of its removal to Green and Cherry streets?

A. I have not the minutes in possession—I have not been clerk of that Yearly Meeting, and I do not know what account was first stated on the minutes, nor how they have been kept of its proceedings; but I believe the address, which was first issued from the conference, held at Green street, with all the transactions that took place in relation to this circumstance, are recorded on the minutes.

Q. Of the meeting held in Arch street at the time?

A. No. Of the meeting held in Green and Cherry streets of course. It is well known, as I have clearly stated before, that Samuel Bettie was imposed upon the meeting as clerk, contrary to the voice of a large majority of that meeting, and the difficulties that followed: and of course he retained the minutes,—the former minutes of the Yearly Meeting, in his possession. And I have also stated in my testimony in chief, when the Yearly Meeting was *first* held at Green street, and how it was held. But *we* don't date the origin of that Yearly Meeting merely to that period, but to the period when it was first established by Burlington Monthly Meeting.

Q. Will the witness state by what record it appears to be a continuation of that meeting?

A. I state the circumstances of the case, as it stood; and the former minutes of the Yearly Meeting being kept from us.

Q. Did I misapprehend the witness in understanding him distinctly to say, that the establishment of this meeting grew out of the necessities of the case, and the revolution in the society which had compelled those composing it, to transcend the discipline in the various cases stated?

A. In part, the witness was misapprehended—the necessities of the case, in the various instances that I have stated, compelled Friends to reorganize the Yearly Meeting, whose harmony and peace we considered had been broken up by the various infractions of the discipline, and conduct of the Orthodox party.

Q. Was it reorganized, and does it now act under the discipline of the infractions of which you complain?

A. It was so reorganized, and is now sustained by all the Quarterly Meetings, it formerly was, and maintains its discipline, as it formerly stood, with a few variations in some particular instances where the discipline has been altered by general consent, as it had always heretofore been subject to alterations, as the circumstances of society seemed to require it.

Q. Are the adjournments of the meeting always entered upon its records?

A. They are so.

Q. Was there any proposition made to the meeting, held in Arch street in Fourth-month, 1827, to adjourn the meeting to a different time and place from what it usually had been adjourned to, or was any such minute made?

A. I have stated before in my testimony in chief, that there was a minute of adjournment made at the Yearly Meeting of Fourth-month, 1827, to meet again at the usual time, "if the Lord permit," I think these were the words of it.

Q. Was there any proposition made to make a different minute?

A. No. I think there was no such proposition made at that time. It was pretty evident then, to a pretty large body of those then collected, that a reorganization of the meeting, upon its ancient pacific principles, must necessarily take place.

Adjourned until to-morrow morning at ten o'clock.

Friday morning, March 4th, 1831, at 10 o'clock. Cross-examination of Halliday Jackson continued. Present the same as yesterday.

Question by Mr. *Sloan*. Had that meeting previously been held at different places?

A. Yes. It had been held at different places. If necessary, I can mention the places where it had been held. It was originally held at Burlington—then moved to Philadelphia, I can't tell the year without referring to the discipline. I attended it several times; and when I first attended, I think it was held at Pine street meeting house; somewhere near thirty years ago it was moved to the North meeting house, where it was held for several years, in Keys' alley. After those buildings were put up on Arch street, it was agreed to be held there, where it remained to be held till the Yearly Meeting of 1827.

Q. Did you ever before know of an instance of a change being made in the time or place of holding the Yearly Meeting, without its being publicly proposed and agreed upon by the meeting, and a minute made of it on the records?

A. No. I don't know that I ever recollect hearing of such a circumstance taking place before. Neither had I ever before known the same causes to operate, to produce such a change of holding the Yearly Meeting, and I hope never to see it again. There was one circumstance that took place, at the time of the yellow fever in 1798, I think, which I may have before stated: when a very small number of Friends assembled, as I have understood, and agreed to adjourn, or hold the Yearly Meeting, I think, in Twelfth-month of that year; when it was agreed to be held afterwards in Fourth-month.

Q. Did not the meeting at that time regularly convene at the usual time and place; and was it not opened by the clerk, and the representatives called over; and the adjournment agreed upon by the meeting; and a minute made of it by the clerk; notwithstanding the danger to be apprehended from their proximity to the disease then prevailing?

A. I was not at that meeting—I was then living in the state of New York; and I have never seen the minutes of that Yearly Meeting, and I cannot tell what took place, further than I have related; but I am will-

ing to say, that I think it is very probable that that was the course that was taken.

Q. Was there not a Yearly Meeting held at the usual time and place in the city of Philadelphia in the year 1828, pursuant to that adjournment of the Yearly Meeting of 1827, by those who claimed to be the Society of Friends?

A. I did not attend such a Yearly Meeting. But it was reported that those who are called the Orthodox part of society, assembled at the time, and held a meeting; which, as I have heard, was attended perhaps by about six hundred on the men's side, or between six and seven hundred. And this declaration, which is made an Exhibit in this case, [No. 43,] appears to be the fruit of some of their laborious exercises, and their great loving-kindness towards us.

Q. Had those persons, who are reputed to have held that meeting, been disowned, or in any way deprived of their rights in the Society of Friends, at the time of holding such meeting?

A. Not that I know of. I have stated before, that we disowned none on account of the separation that had taken place—but were willing they should exercise their right of private judgment, and liberty of conscience, which we claimed for ourselves. We considered that the Yearly Meeting of Philadelphia ("Pennsylvania," &c.) was then divided into two separate and distinct bodies, and each were claiming to be the Society of Friends.

Q. Did your party, either in Sixth or Tenth-month, 1827, or, at any of their subsequent meetings, make any effort to meet at the house in Arch street, or any request that the privilege of the use of it should be granted to them for that purpose?

A. I cannot say whether there was ever any formal request made or not, in any official way; because there was no opportunity of requesting it of them as a body, met in a Yearly Meeting capacity, previous to the time of holding the Yearly Meeting in Tenth-month. But I think I have understood that individuals were spoken to in the city, but there was no kind of encouragement given—but on the contrary, it was well secured with locks and bolts; and an additional fence put up inside of the yard, in order to render it more inaccessible from an entrance, I think, that went in through a private house, on the eastern side of the lot. And it was also currently reported then, that they kept a guard, a man to guard it at night. But I, myself, spoke to Samuel Bettle, we both met at Bucks Quarterly Meeting in Eighth-month of that year, and in some pleasant conversation respecting the divisions that had taken place in several of the Quarters, he observed to me, that he thought it was hard that Friends in some places would not let them (the Orthodox party) have their houses to meet in. I told him, that I thought there was now an opportunity of them setting an example for a mutual accommodation of each other—that we wanted a house to hold a Yearly Meeting in, in Tenth-month; and that if they would let us have Arch street house to meet in for that time, until we got better provided, it would be a great accommodation to us; and, I thought, we should not make any further claim on the property on the account of that accommodation, or words nearly to that effect. But he answered that it would not do, for two distinct bodies to meet and occupy the same house. And, therefore, it seemed as if his rule, or remark which he had first made to me, would only work on one side, to accommodate himself and his own party. [On

again to the question, the witness says:] As to any effort, I remember no effort made, as I recollect. I remember in one of the meetings, either in Tenth-month, or in Fourth-month following, a proposition made to send our Orthodox brethren a friendly fraternal epistle; but it was thought by the meeting at large, from the conduct towards us, in the general, they were not then in a disposition to receive it—as I think this declaration (Exhibit 43) must fully satisfy every person who may read it—and it was therefore concluded to that time.

Were you not all freely permitted to remain in the Yearly Meeting until its close?

Yes; we were permitted to do so; and we had a right to do so; and no one there had any right to deprive us of that privilege.

Was the slightest effort made, to prevent the exercise of that

I think I have fully shown before, that we were deprived of the exercise of our rights and privileges, by the arbitrary measures which were pursued in that meeting. But as to rejecting us a seat in the meeting, I believe there was no effort made of that kind. There was, however, that occurs to my mind, which I particularly noticed in that particular meeting, that the meeting was very large, and some of the seats were very much crowded, and our Orthodox brethren being fond of good seats, and they were very polite and expert in accommodating their own party on those seats; but the others might get seats where they could best find them.

Before the close of that Yearly Meeting, had you not fully determined upon holding the meeting in Sixth-month, and decided upon that as the place of assembling?

I think there was no conclusion come to of that kind until Seventh-month, or the rise of the Yearly Meeting; that is, of holding the meeting in Sixth-month.

Had not the conclusion to hold a meeting been agreed upon?

I have fully stated before the progress of the different conferences; the address which was prepared, which I have offered as an exhibit, was under consideration at the several conferences, but not finally until after the rise of the Yearly Meeting in that year, when it was concluded, to have another friendly conference in Sixth-month. We have the Quarterly or Monthly Meetings, belonging to a Yearly Meeting, the power of themselves to change the time and place of holding the Yearly Meeting, or does that power vest in, and must it be exercised by, the Yearly Meeting itself?

I stated before several times, that there was no discipline, I think, attached to the establishment of a Yearly Meeting, and if any circumstance occurred that would require a change of time and place, a general meeting of the Quarterly Meetings, in my apprehension, would receive the power to do so: because it is the people that makes the Yearly Meeting. It cannot be supposed, that a house, composed of wood and mortar, is what constitutes a Yearly Meeting of the Society, or identifies it as such a body. This would be following the example of some other christian professors, who say, I suppose, that the place where they meet for worship in, is the church.

What is the instance alluded to, the first instance of which you have any knowledge, in which this power has been exercised?

A. I have stated in a previous answer, I think, what would answer to that question; that I have never known such an instance.

Q. Previous to the year 1827, did you ever know a Yearly Meeting to be set up and held within the limits of an existing Yearly Meeting, and composed of its members, without its consent being first obtained?

A. I think the same answer will apply to that question; that I have never known such an instance, within my knowledge, nor the necessity to produce such a result.

Q. So far as your knowledge extends, am I to understand that in all such cases, that consent had been obtained?

A. Since my time, there have been two new Yearly Meetings established on this continent, Ohio and Indiana:—when a sufficient number of Friends became settled on the western side of the mountains of Pennsylvania and Ohio, they were considered as being members of the Yearly Meeting of Baltimore, being most convenient to them. The Friends on the western side of the mountains associated together, and I believe, among themselves, to hold a Yearly Meeting, and proposed the subject to Baltimore Yearly Meeting, their own Yearly Meeting in consideration and mutual agreement. The society was then in peace and peace, and it was mutually agreed that they should hold their Yearly Meeting in Ohio; and hence they assembled in a Yearly Meeting in that city, became an independent body, adopted in form their own discipline for the government of their subordinate meetings, and to regulate their own proceedings: and in the course of a few years, Friends still moved further to the westward, and many meetings of Friends became established several hundred miles from where the Yearly Meeting was held. They also concluded it would be convenient to them to have a Yearly Meeting down in the state of Indiana: they accordingly associated together and proposed the subject to the Yearly Meeting of Ohio, which they were members of, and it was finally concluded that they should hold a Yearly Meeting there; which accordingly became an independent body, and governed its own proceedings. These are the only two new Yearly Meetings that I remember to have been established in that way.

Q. Was not that subject or proposition from the meetings in the western part of the state presented to the Ohio Yearly Meeting held under advisement for several years?

A. I was not at the Yearly Meeting at the time; but I think I understood it was put off, perhaps one year: I am not sure whether or not, but I think I have understood that Friends in the lower part of Ohio, and in the state of Indiana, were determined upon having a Yearly Meeting of their own, and that the next year it was agreed to by the general consent of the Yearly Meeting. There was no schism among Friends at that time, and they were desirous to move in the harmony of the Yearly Meeting.

Q. You have given an opinion as to the *power* of Monthly Meetings to associate together, and change the time and place of holding the Yearly Meeting: am I to understand you that the discipline confers upon them any such power?

A. I have not stated that there was any provision of that kind in the discipline; as I have frequently said, there was no provision in the discipline for a revolution in the society: and my opinion in respect was predicated on the right of the people, by a general convention, to act according to circumstances, when circumstances so required their thus acting, for the general welfare of society.

Q. Is the meeting which you have established in Green and

acknowledged as a Yearly Meeting of the Society of Friends, by those Yearly Meetings of the society in which a separation has taken place, to wit: by London, Dublin, New England, Virginia, and Carolina; or is it in correspondence with either of them?

The Yearly Meeting of Pennsylvania, &c. which is held in Green and Cherry streets, and continues to be held there, continues its usual correspondence with the ancient Yearly Meeting of Baltimore, and the Yearly Meeting of Friends of New York, and the Yearly Meeting of Friends of Philadelphia, and with the Yearly Meeting of Friends of Indiana; and it also has been disposed to continue its correspondence in a friendly manner with the other Yearly Meetings which the counsel has mentioned:

Orthodox Friends in Philadelphia, in their great loving-kindness and tender mercies towards us, have been very industrious in sending forth declarations, their epistles, letters, and pamphlets of various kinds, which are calculated to destroy our religious standing and reputation as a society of professing christians; I say, they have been very diligent in sending these papers abroad, in order, not only to prejudice our friends in distant Yearly Meetings against continuing or holding correspondence with us, but also to prejudice the minds of religious societies against us. Hence we find their pamphlets lying in many of the public houses and hotels, when we travel into distant places, which I have been a witness to in some instances; and I have seen a great deal of that being done, when I have not travelled. We have also, in their travels through the country, under a cloak of making religious visits, tried to prejudice our friends abroad against us. For instance, Bartholomew Wistar, who sits near me, when he is travelling through Ohio as companion for Elizabeth Robson, I am informed by a letter from a Friend in that state, was in the habit of reading large companies, letters and accounts which they had with them, calculated to destroy my religious standing, as well as a number of other Friends, who perhaps stood quite as high as himself, and deservedly so. He read in those companies some account he had written down, of a separation said to have taken place between himself, three or four of his party, and Elias Hicks; making high charges against Elias Hicks, and calculated, in the view of strangers, to destroy his religious standing as a minister and member of the Society of Friends. Hence, and of *ex parte* evidence, our Friends in those Yearly Meetings which the counsel has mentioned, became prejudiced against us, and discontinued their correspondence with us in a Yearly Meeting capacity: of which their acknowledgment of us ceases, as this epistolary way is the usual mode of acknowledgment.

Had any such acknowledgment ever been made towards the meeting held in Green and Cherry streets, by the meetings referred to?

It had always been continued with the Yearly Meeting of Pennsylvania, &c. which is now held in Green and Cherry streets, by the great Yearly Meeting of the society, until this interruption took place; and no doubt, at all, on the influence of the misrepresentations which our Orthodox Friends made respecting us: and which interruption took place soon after the Yearly Meeting held in 1827.

Did that body of persons of whom you speak, ever receive in any of the Yearly Meetings referred to, any acknowledgment whatever that they were the Yearly Meeting of Friends of Pennsylvania, &c. or that they ever been treated with as such by them?

A. My recollection wont serve me as to all those Yearly Meetings. There were communications, I think, from several of them, if not all. We had addressed epistles to all those Yearly Meetings from our Yearly Meeting since it has been held in Green and Cherry streets; several of them, and perhaps all, I cannot recollect, returned those epistles, perhaps with some note to the clerk. The Yearly Meeting of London returned the first epistle, and I think, there was a communication accompanied it, containing an extract from a letter or epistle from the Meeting for Sufferings of Philadelphia, giving them their account of that part of the society that we call Friends, which I should be willing to do them the honour to have recorded, if I had it at command. They called us separatists, and made use, I think, of other opprobrious terms, and stated, I think, (and it was written, I suppose, at the time of our Yearly Meeting,) that a meeting of the separatists was then sitting in Philadelphia. The character, however, they gave us was such, that it prejudiced the minds of Friends in that Yearly Meeting so much against us, that they declined reading our epistle in the Yearly Meeting, and returned it to our clerk, accompanied by this extract, as the evidence of the facts which they had therein stated. Of course, there was no acknowledgment of our Yearly Meeting that year.

[NOON.]

[The witness proceeds in his answer.] Neither has there been any acknowledgment of it since, from that or any of the other Yearly Meetings referred to in that question, that I recollect, by any epistle, in the former customary way. Neither do I consider that it is absolutely necessary to the existence of a Yearly Meeting of the Society of Friends, that there should be this kind of acknowledgment. This has heretofore been a kind of brotherly salutation between the different Yearly Meetings held on this continent, and that held in England; but, I think, there have been some exceptions to this general rule. A Yearly Meeting has existed in Dublin, Ireland, from which I have heard epistles read, in some of the Yearly Meetings on this continent, but I never remember of hearing one read in the Yearly Meeting of Pennsylvania, previous to the year 1827, nor since that time. But, of course, it would not follow that we did not acknowledge them as a Yearly Meeting of the Society of Friends: I think I remember another instance, perhaps some twenty years ago, or thereaway, when the Yearly Meeting of Philadelphia, did not address an epistle to the Yearly Meeting held in London in that year. I remember a Friend, who was appointed on the committee to prepare epistles, informed me, that way did not open in his mind for it; and I think I am correct when I say, there was no epistle sent that year. But it could be by no means inferred from that, that we did not acknowledge them as the Society of Friends; so that I am fully satisfied in my own mind, that the interruption that has happened to this friendly correspondence with several of the Yearly Meetings, has been produced by the misrepresentations of our Orthodox Friends which I have already mentioned; and, I think, it is due to the cause in this place to mention another instance, where they made the attempt, but did not succeed in the design. Our Yearly Meeting, which occurred in Tenth-month, addressed an epistle to Baltimore Yearly Meeting as usual; the Meeting for Sufferings of Philadelphia, from whence a great deal of this disturbance has originated, were on the alert to apprize the Meeting for Sufferings

Baltimore of the circumstance of our sending them an epistle, if possible to prevent its being received by that Yearly Meeting. But both the Meeting for Sufferings in Baltimore, as also the Yearly Meeting, were not to be dictated to by the Meeting for Sufferings in Philadelphia, were disposed to judge for themselves. They were our neighbours, comparatively speaking, with other Yearly Meetings; there was a constant intercourse between many of the active members of that Yearly Meeting, and the members of the Yearly Meeting held in Philadelphia. They were acquainted with all the circumstances of the difficulties,—they knew the disposition of the dominant party here, to govern the society, and they did not choose to come under such a yoke of bondage, and therefore, almost unanimously, accepted our epistle, and answered it in one of brotherly affection and love; and while I am on the subject of this more, I would wish to add a little, in reference to a previous question which did not occur to me at the time, respecting the adjourning of Yearly Meetings. I have stated, that a small party in that Yearly Meeting consisting of those called Orthodox, seceded from it, about the middle of the week; one or two of their members announced their intention of meeting at a school-house in the neighbourhood the next morning.

They made no minute of adjournment, nor do I recollect that they did any thing about *adjourning* in the Yearly Meeting; but I was afterwards informed, that they met accordingly, organized, what they called a Yearly Meeting, and held it during the remaining sessions of the general Yearly Meeting of Baltimore, and within the limits of the city.

Did they not declare that they were withdrawing, not for the purpose of *adjourning*, but for the purpose of continuing the sittings of the Yearly Meeting of Friends?

I don't remember that they made that declaration when they proposed meeting at the school-house, and *with a view of holding a Yearly Meeting*,—I think they held up, though I don't remember their words; George Jones, an English minister, who was in Baltimore at that time, declared his intentions of withdrawing, I think, on Second-day afternoon, I remember right; but only one Friend of Baltimore, I think, followed him: and, I suppose, *they* felt themselves too weak to hold a Yearly Meeting, until the rest of their party concluded to leave the Yearly Meeting and assemble with them.

Have not the several Yearly Meetings alluded to, issued their minor declarations, stating that they *do not* consider the meeting held in Green and Cherry streets, annually, or those that correspond with it, forming any part of the religious Society of Friends?

I think I have seen several declarations, or epistles, or whatever might choose to call them, of that nature, which had the appearance of being the acts of some of those Yearly Meetings, I can't say how many; and all, I apprehend, founded upon the *ex parte* evidence of our dissenting brethren; in that respect we consider ourselves a persecuted people. And we have not felt disposed to resort to the same weapons, to recriminate them by declarations of the same nature in an official manner from our Yearly Meeting. We hope the time will come when our friends abroad will become better informed, and will see by our conduct that we are yet the religious Society of Friends; and find out that they have been grossly imposed upon by the misrepresentations of our enemies; many of them I believe, if I am rightly informed, in some of those Yearly Meetings, and especially in England and Ireland, are beginning

to get their eyes opened, and find that they have been mistaken respecting us. The misrepresentation respecting us, which continues to be exercised by letter writing and otherwise, has promoted a spirit of inquiry, that I have no doubt will finally be an advantage to us.

Q. Do the meetings within the limits of, and held in subordination to, those Yearly Meetings, either receive from or grant to the meetings held in subordination to the meeting held in Green and Cherry streets, and acknowledging it as a Yearly Meeting, certificates of membership in cases of removal?

A. My knowledge in that respect is very limited. But I apprehend they have stopped that communication; I have not known of any circumstance of a certificate being requested of latter time, from any meeting within the limits of our Yearly Meeting to any of those Yearly Meetings that have been alluded to; neither do I know of any instance of latter time, when a certificate has been received from any of those Yearly Meetings, by any of ours.

Q. Is it not a matter of general repute, that those meetings do continue their correspondence with the meeting which has been continued to be held in Arch street, at the usual time, since 1827, and that they acknowledge it as the Yearly Meeting of the Society of Friends of Pennsylvania, &c.?

A. I have never attended the Yearly Meeting at Arch street since the year 1827. But I suppose that to be the case. From a pamphlet which they have lately issued, called the testimony of the Society of Friends on the continent of America, it appears that they have formed a kind of creed of their own, for they had been long wanting one.

Q. Has there been a division in the Yearly Meeting of Ohio?

A. Yes. There has been a division in the Yearly Meeting of Ohio, and also of Indiana.

Q. Where was that meeting held before the division?

A. It was held at Mount Pleasant.

Q. The correspondence then, to which you have alluded, has been with but one branch of that meeting?

A. Yes. It has been with that part of it, which *we* acknowledge as the Society of Friends. Not with the Orthodox part of it, of course.

Q. Has the meeting held by those with whom you correspond, ever been recognised as a Yearly Meeting of the society by the undivided Yearly Meetings before alluded to?

A. I can't tell any thing about that, as I have never attended a Yearly Meeting in Ohio since the separation.

Q. Do the other branch of that meeting still hold meetings at the same time and place they did before the separation, and claim to be the Yearly Meeting of Ohio?

A. I have understood they do hold the Yearly Meeting at the same time and place.

Q. By general reputation?

A. Yes.

Q. By general reputation, do not all the Yearly Meetings spoken of continue to correspond with them and acknowledge them as the Yearly Meeting of Ohio?

A. I have no general repute on that subject. But I have no doubt that all the Orthodox Yearly Meetings correspond with them, and that they call themselves the Yearly Meeting of the Society of Friends; but

as going to add to my former answer, that from the best information I can obtain, they are only about one-half of the number that constituted that Yearly Meeting, previous to the separation.

Q. Where was the Indiana Yearly Meeting held before the separation?

A. I never attended that Yearly Meeting. But it was held I believe in Richmond, but I rather think the name of the place is called White-ter.

Q. Is the meeting with which you correspond held there?

A. No. It is held at Miami, near Waynesville.

Q. Is that in Indiana?

A. No. It is in the state of Ohio; it is near the line; and not far from Indiana.

Q. Has that meeting since it passed into Ohio, ever been recognised or corresponded with as a Yearly Meeting of Friends in Indiana, by the Yearly Meetings spoken of?

A. I have no knowledge on that subject; as I never have attended a Yearly Meeting there; but I have no expectations that they have ever been acknowledged or corresponded with by any of those Orthodox Yearly Meetings spoken of. The Yearly Meeting of Indiana, called Indiana, was composed partly of Friends living in the state of Indiana, and partly by Friends living in Ohio, and perhaps the largest part, though I am not certain of that. When the separation took place in that Yearly Meeting, the Orthodox party proved to be the largest in numbers; as we find in almost every instance, the further our Friends in other Yearly Meetings are situated from Philadelphia, the more they have become prejudiced against us; as our Orthodox Friends have had a greater opportunity of misrepresenting us, and they, further out of reach of getting correct information. Hence Friends in Indiana being in the minority, we have acted as the Orthodox Friends in New York and Baltimore have done, by removing or holding their Yearly Meeting at a different place from where it had formerly held. And the Miami meeting house being the largest and most commodious house, and most convenient for the purpose, they agreed to hold it there.

Q. Did they do as those whom you call Orthodox did in Baltimore and New York, proclaim their intention to continue the meeting at another place, in the meeting, at the time of their withdrawal, and meet and continue the sittings of the Yearly Meeting in pursuance of such declaration at the time and place appointed, or was that meeting at Miami originated by a few individuals, members of one of the Quarters of that Yearly Meeting, after its adjournment, to meet again at the usual time and place?

A. From what I have understood of the first Yearly Meeting that was held at Waynesville, in Miami meeting house, it was agreed to be held by an association of several of the Quarters, and perhaps of some of the Monthly Meetings that were component parts of other Quarters. At the Yearly Meeting held previous, I think in the fall of 1827, after the separation had taken place in the Yearly Meeting of Pennsylvania, our Orthodox Friends sounded the alarm, both in Ohio and Indiana; and for aught I know, to the uttermost parts of the earth. A host of Friends came down from Ohio Yearly Meeting, as I have been informed, accompanied by some of the English Friends then in America, and sounded the alarm in Indiana Yearly Meeting; and they got up something in that Yearly Meeting, by way of a creed, as was then understood by Friends,

called, I think, "a Testimony and Epistle of Advice," which they set down among their subordinate meetings, and perhaps appointed a committee—I think they did, to enforce its observance upon their subordinate meetings. It gave great dissatisfaction to a large portion of the members of that Yearly Meeting, and hence began the work of separation within its limits; and the Orthodox began the work of disowning after the example of their Philadelphia brethren; and to make short of it, this work was progressing, until the approaching time of the Yearly Meeting to be held the next year, when Friends, seeing the conflict that must unavoidably ensue, if the two parties met together again in a Yearly Meeting capacity: and therefore they took into consideration the propriety of meeting separate and apart from those that they considered their Orthodox oppressors: and in that way the Yearly Meeting of Friends came to be held at Miami.

Q. Is this the "Testimony and Epistle of Advice" issued by Indiana Yearly Meeting, alluded to in your previous answer?

[The witness is shown a pamphlet of eighty-three pages, entitled, "Epistles and Testimonies issued by the Yearly Meeting of Friends," &c. 1828; on examining which he answers,] I wont undertake to say, but it appears to be such, and issued by the Yearly Meeting under the names of the clerks, whose names I saw to a document of that kind.

The "Testimony and Epistle of Advice," is contained on pages 66 and to 72 inclusive, and is contained between the words "Testimony J. J. Foster," and "Epistle J. J. Foster."

The said pamphlet is offered in evidence on the part of Joseph Hendrickson, and marked Exhibit 44.

The witness further answers, And for a full and able review of this Testimony and Epistle of Advice, I would refer those who wish to read it, to the "Berean," I can't tell what volume; or to the last year's volume of the "Friend, or Advocate of Truth," in which it will be found.

Q. You have spoken of several instances in which Bartholomew Wistar was engaged in reading certain statements within the limits of the Ohio Yearly Meeting: can you state to me what those statements were, or furnish a copy of the paper from which they were read?

Witness. The statements that he read there, or the statements made to me?

Counsel. The statements that he read there.

A. No; I cannot furnish a copy of those statements, for I never saw them; but I received a letter from a Friend in Ohio, dated Ninth-month, 1827, which gave me an account of his reading those statements and accounts that I have alluded to; which letter I have at home: the Friend mentioned in the letter, that he thought it beneath the dignity of Elizabeth's station to encourage the writing of such letters by reading and giving publicity to them.

Q. You have not seen either the paper read by Bartholomew Wistar or a copy of it; nor can you give its contents?

A. No, I have not seen it: the Friend who wrote to me, informed me that they were going to be at a meeting in his neighbourhood the next day—that he intended to try to procure a copy of the letter that he had read respecting the conversation with Elias Hicks; and if he did, he should write to Elias Hicks on the subject, for he had always considered him as one of the pillars in the church. But whether he ever procure that copy or not, I cannot tell.

Q. Was Elias Hicks in religious unity with your society until the time of his death?

A. We always considered him so.

Q. Did not your meeting make a minute approbatory of his services among you on his visit to it in 1828?

A. Yes, I think they did so: I am not so positive about the Yearly Meeting, as it had been the former custom to make such minute in the meeting for ministers and elders: I remember it was done in that meeting, and with my own name to it as clerk of that meeting; and I rather think it was done in the Yearly Meeting also.

Q. In the aggregate of numbers which you have given of those who are called Orthodox, and Friends, respectively, what part do you state from your own knowledge?

A. As to any actual enumeration, I could not state from my own personal knowledge, any further than of the members of our own Monthly Meeting; being on a committee of that Monthly Meeting, to make out list of the numbers as accurate as we could on both sides. But from paper which I now hold in my hand, and which is taken from official accounts, which I have seen from all the Monthly Meetings composing our Yearly Meeting, except two or three which I excepted before in my testimony in chief, I can give the relative numbers in each Quarter.

Mr. Sloan. The question having been answered, I do not call for further statements from any paper which may have been put into the witness's hands by other persons.

Q. Is the paper referred to made out by the parties mutually, or exclusively prepared by those whom you call Friends?

A. It is prepared by those that I call Friends: but the numbers in five of the Quarters, as I stated before, I think, were taken under a commission, I think, issued by the Supreme Court of Pennsylvania.

Adjourned until ten o'clock to-morrow morning.

Saturday morning, 5th March, 1831, ten o'clock. Cross-examination of Halliday Jackson continued. Present the same as yesterday.

Question. Is there any thing in the discipline prescribing the number of members that shall be required to constitute a *quorum* for the transaction of business, in a meeting for discipline?

A. I don't know any clause of discipline requiring such a thing. You have the discipline, and I must refer you to that.

Q. Is there any thing in the usages and practices of the society requiring any thing of the kind?

A. The usages and practices of society, in the former harmonious times of it, were to transact their business, and come to their conclusions, as much in the unity as was practicable.

Q. At the times appointed for holding meetings for discipline, did those who attended such meetings, proceed to transact the business of the meeting without reference to the numbers assembled?

A. I think that has generally been the case: as far as my knowledge extends: but I think, I have known some instances of some *important matters* being postponed on account of the absence of a number of Friends from the meeting.

Q. In those cases, would not the meeting, if they had thought proper, have had a right to proceed to transact the business?

A. Yes. They would so.

Q. If a majority of the members of a Monthly Meeting should violate the discipline, in any respect, as for instance, denying the Christian religion, taking up arms, taking oaths, or any such practices prohibited by the discipline, would not the minority of the meeting, be bound by the discipline to disown them, if, after having extended proper care to them, they could not be convinced of their error, and would not such disownments be valid?

A. I have never known such a case occurring in society. We acknowledge ourselves bound by the discipline, and where open violations of it take place, it ought to be put in practice. But we are not to suppose cases that never existed: and if there is a division of sentiment in a Monthly Meeting, respecting any particular case of such violation, I think it would be right for the minority to submit to the judgment of the majority, whether the discipline was violated or not, or otherwise in such case of difficulty apply to the Quarterly Meeting for advice and assistance.

Q. If an individual member be guilty of such violation of the discipline, is not the meeting required, by the discipline, to disown him, if he persists in his error?

A. I have stated that the members of the society are bound by the discipline; and where it is the judgment of the Monthly Meeting, that a member has violated the discipline, they would be bound to put it in practice.

Q. Is there any thing in the discipline limiting the extent to which it shall be administered towards refractory members of the meeting?

A. The discipline is to be administered in the spirit of restoring love, in order if practicable to reclaim the individual from the error of his ways; and there is no limitation that I know of, that draws any line how long this indulgence, or labour of love, shall be extended. I refer you again to the discipline.

Q. My question was intended to relate to the numbers of persons?

A. I have answered that before, as to numbers, I think. I know of no limitation as to the number specified in the discipline. But brotherly condescension is required.

Q. You have spoken of cases in which if there were a division of sentiment in the Monthly Meeting, the minority, you thought, ought to postpone their opinion to the majority: have your society ever recognised the principle of deciding by majorities?

A. I think they have recognised it, in this way, that in the former harmonious times of society, it was never the practice or usage of society, to carry any measure or subject of importance, where it was evident in a meeting, that the majority of the meeting was opposed to it—hence, brotherly condescension, christian forbearance, was to be exercised, until Friends could become more united in their determination of the subject.

Q. In those days to which you have alluded, was no more weight or influence attached to the sentiments of the aged, experienced, and consistent members of the society, who had for a long series of years devoted themselves to the administration of its discipline, than to those of the young and inexperienced members, who had but recently taken a part in the concerns of the meeting?

A. That depended very much upon the place that the sentiments of the speakers had in the minds of the people. If it carried its own evi-

lence of weight and influence with it, it had its due weight on the minds of the hearers, whether they were aged or young; but if it did not carry that evidence of weight, I don't think that there was to be any more importance attached to the sentiments of a man who might be sixty years of age, than of a man of twenty-five or thirty, who manifested a religious concern for the welfare of society: and I well remember, that when I was young, and it was often a source of great encouragement to me, that the young people were called upon by their elder brethren to come forward and offer their sentiments, especially on subjects where the elder part of the meeting might be somewhat divided in sentiment. Hence it was sometimes the case, that the voices of a few of the younger class of Friends would determine a subject: where members were inconsistent in their conduct, they were not very likely to take an active part in the affairs of society, and therefore if they did, their sentiments would not have so much weight on the minds of the meeting.

Q. Who were to judge of this weight and influence to which the members should be entitled?

A. Every Friend must determine the point in his own mind, according to the evidence afforded them, how far the conviction of the weight of their sentiments was manifested to him. It was not for an individual in a Monthly Meeting to say, and to dictate to the meeting, who gave the most weighty sentiments; or whose sentiments were entitled to the most weight.

Q. Did the majority decide the question after debate?

A. I have fully answered that question before, how decisions were made, in meetings of discipline: and I am very sorry that this examination should be protracted to an unreasonable length, by being under the necessity so often to repeat the same thing.

Q. If the witness will consent occasionally to give direct answers to my questions, and not so often step aside to repeat his opinions, and the information which he has received from others, having no relation to, or bearing upon, the questions propounded to him, he will do much more towards limiting this examination than by delivering lectures to the counsel on the subject. I therefore repeat that question, and ask how it was that questions were decided in meetings for discipline, in such cases as those put by him, where the members of the meeting have taken different views of the subject, whether it was by majorities or otherwise?

A. The witness will take the liberty to inform the counsel that he considers himself here as a witness, under a solemn affirmation; and, therefore, he must be his own judge as to the kind of answers that he may give to such questions as are put to him; and not being much skilled or acquainted with legal proceedings of this nature, he will ask it as a favour of the master to stop him, when he is travelling off the proper ground of evidence. But to satisfy the counsel respecting the last answer, as I have stated before, in substance, where a question of difficulty occurred in the Monthly Meeting, on which there might be a diversity of sentiments, it was generally, and always, as far as I recollect, in the former peaceable times among Friends, decided in favour of what appeared to be the majority of the meeting. I don't mean by this to be understood that they went to counting votes, as is generally the case in legislative bodies, or other legal proceedings.

Q. By whom is the result spoken of in the last answer, gathered?

A. The clerk is the organ of the meeting, to collect what appears to

be the prevailing sense of the meeting, and record it on the minutes, which, if he is an honest clerk, will generally decide the question.

Q. In gathering the prevailing sentiment of the meeting, would the clerk put all who had a right to attend, on equal grounds, as regards the influence and authority of their sentiments, or if the old and experienced members of the meeting appeared to be united in one sentiment, and a majority of the young and inexperienced thought differently, would he record their judgment as the prevailing sense, because they were a majority?

A. I never was a witness to such a circumstance in former times. As I said before, we are not to suppose cases that never existed. I cannot tell what some clerks might do if they were placed in such a situation, but I can speak from some experience, having acted a good deal in that line myself, that I have never found much difficulty in determining, to my own mind, what was the prevailing sense of the meeting, by the sentiments that were offered in it. And in so doing, I have sometimes had to record a minute entirely contrary to my own private judgment; but on such occasions, submission was necessary on one side or the other, and thus it often occurred, that subjects which appeared somewhat difficult, would finally be settled in the harmony and unity.

Q. In cases of infractions of the discipline, is it only to be maintained when it can be done by a majority of the Monthly Meeting, or must the majority defer their opinion to the discipline, until the Yearly Meeting think proper to alter it?

A. I must say again, that I have never known such a case in former times; and, therefore, I cannot say what a meeting would do under such circumstances, further than, I think, they ought to apply, and would be likely to apply, to the Quarterly Meeting for advice and assistance.

Q. Has it not always been the usage and practice of your society, to consider the discipline as obligatory upon the society, on all subjects to which its provisions are applicable, without reference to the opinion of individual members on the subject?

A. I have repeatedly, and I am willing to do it once more, acknowledged that the society is *bound by the discipline*. And I have stated, that there was no discipline provided for a revolution in the society.

Q. Since the separation, do those who you call Friends, within meetings for discipline, hold the principle, that the voice of the majority shall decide a subject, without reference to the religious standing or experience of the speakers?

A. We have made no alteration in the discipline, with regard to how subjects shall be decided. But we endeavour to proceed on the ancient and pacific principles of the society, in patience, forbearance, and love of each other, as much as we can. And *further*, I don't think has any relation to the issue in this cause, as it regards the private concerns of our meetings of discipline, since the separation took place.

Q. I am asking after no private concerns. I am asking for the practice of that body of persons who claim to be the Society of Friends, in administering the discipline of their society in their meetings for discipline. And although the witness and myself may differ in our opinion as to the propriety or bearing of this testimony in this cause, yet, as it has been produced here by the opposite party as a witness, for the purpose of maintaining and proving that that body constitutes the *such* Society of Friends—I apprehend that I have a perfect right to in-
 quire

to the public proceedings of that body, for the purpose of ascertaining whether they are or are not entitled to be considered the society which they claim to be. And in this view of the subject, I must pursue the examination, leaving the party who called the witness here, the right of excluding the testimony, if it should hereafter be thought improper. I would therefore ask, what has been the practice of your society, in reference to my previous question?

A. I have no objection to answer the question, after stating my impression, that I don't feel myself under any obligation, according to the qualification I have taken, to descend into the private concerns of our meetings of discipline, since the separation took place: neither would it be proper for an individual to disclose them to the world. At the same time I can say, that I know of nothing that I should be afraid to disclose, if it were proper for me so to do, or required of me. But as to my general proceeding, as it regards the question now put, I have no objections to answer—that we have proceeded in the former way, according to what appeared to be the prevailing sense of the meeting, without going into any actual enumeration of the number of voices.

Q. Has not this question, as to the decision of a proposition before the meeting being made on the principle of the majority, been directly up before, and passed upon by some of your meetings, and if so, what was the nature of that decision?

A. I don't know of any decision of that kind, where a meeting has acted upon the principle of going to counting of numbers. Individuals in the meeting may have done it, and reported their own statements.

Q. Was there not a case of difficulty from one of the Monthly Meetings of the Quarterly Meeting, held by you at Concord, brought up to that Quarter, which arose out of this question?

A. There was a request made to our last Quarterly Meeting, by one of our Monthly Meetings, for advice and assistance, in a case of difficulty, without specifying to the Quarterly Meeting what the difficulty was, as that is not usual in such cases to do so.

Q. Was a committee appointed?

A. A committee was appointed, to afford assistance and advice to the Monthly Meeting.

Q. Were you one of that committee?

A. I was.

Q. Did you go down for the purpose of advising the Monthly Meeting, pursuant to your appointment?

A. I met with the committee at Wilmington: not at the Monthly Meeting.

Q. Did you examine into the case which had caused the application?

A. Yea, we did so; and agreed to give our advice to the Monthly Meeting, which is one of those private concerns that you have no business with.

Q. Was that a case in which the clerk of the Monthly Meeting had recorded the sense of the meeting, contrary to the judgment of a majority of those present, as it was alleged?

A. No, it was not contrary to the judgment of a majority of those present.

Q. What was the case of difficulty?

A. I have no wish to conceal it; but I would request of the master to

decide whether the witness is bound to disclose the private concerns of any Monthly Meeting.

Mr. Sloan. The witness will understand me, as inquiring after their proceedings in their meetings, only so far as the meetings have in their progress adopted principles for their governance. I only wish him, therefore, to state the nature of the case, without using the names of individuals, or descending into particulars which might be offensive to their feelings. But waiving that question, are the disownments of which you have spoken, made by those whom you call Orthodox, and effectual, so far as respects all their meetings, and all the meetings held subordinate to those Yearly Meetings, in which a division has not taken place?

Witness. I think I don't understand that question.

Q. The question is, whether these disownments are not recognised by all those meetings, as having been regularly made?

Witness. All the Orthodox meetings?

Counsel. Yes,—all those that have not been divided.

A. As I have never attended any one of their Orthodox meetings, I can tell nothing about their proceedings; having in no way interfered in that respect. But I can tell this much, that our meetings have not considered them valid, or as having any force, to disown us from the Religious Society of Friends.

Q. Is it not a matter of general repute, that these disownments are recognised by those meetings; and that they do deprive the persons so disowned of all their rights and privileges as members in those meetings?

A. I have seen a number of those kind of papers, purporting to be disownments, though they never furnished myself with one, if they disown me; and they purported to be disownments from their meetings, as far as I have seen. But they were meetings to which Friends never belonged, or laid any claim; and therefore had no more force than if they had come from Methodist, Presbyterian, or Baptist meetings. I believe they had to proceed, in some instances, in a kind of a wholesale way. As my son had the curiosity, at one time, to attend one of their Monthly Meetings, so called, he informed me that they had fourteen or fifteen, I think, of those kind of papers before them; and as they were all very much of a sameness, the clerk requested to know of the meeting, whether the reading of one would not be sufficient, without taking the trouble to read and examine the whole. It's justice, however, to say, that some stranger being present, told them they had better proceed according to usual order, for their conduct would be watched.

[On again recurring to the question, the witness says:] I have no doubt at all that they are so considered by those meetings. I expect it is the case.

Q. You have stated that your party have not disowned any of the Orthodox party, as you style them, for differing in opinion from you. Am I to understand that you still consider them as entitled to the rights of membership in your meetings?

A. In a society capacity, I don't know that we have come to any result on that particular point. I can therefore only offer my view, as an individual member of the society. I consider the society as separated on account of a difference of opinion, arising from various causes, and from the conduct that was pursued by one party, assuming the right to

control the other. But after the separation took place, I believe it was the judgment of the body, that we should not proceed to disown them, but leave them to enjoy their own opinions and privileges, and we claim the same thing to ourselves. Hence, as divisions took place in the different Monthly and other meetings, I think, generally speaking, new lists of our members were made out, as far as my knowledge extends. It was pretty generally very soon discovered upon which side Friends stood; and we took an account of those who united with us, with their minor children, leaving out those called the Orthodox party, with their minor children, who had not come to an age to judge and make a choice of their own. Thus, we did not, strictly speaking, consider them as our members, or that we were responsible for their conduct; but left way open, if they should choose to return to us again, to admit them as members; which has been practised, in a great variety of instances, especially in Philadelphia, by many coming to Friends, who had, for some time after the separation took place, remained with the Orthodox.

Q. Are they admitted as a matter of course, and as if no such separation had taken place?

A. In those cases that I am acquainted with, they have either made the request themselves, or done it by proxy, to have their rights transferred from the Orthodox Monthly Meeting that they had been members of, to the Monthly Meeting of Friends to which they applied; knowing that they could not obtain certificates. The case was then considered by the meeting, and if no objections appear, they are received. But I think it would be proper to state, that if the individual thus applying, in the intermediate time had been guilty of any immoral conduct, or any open violation of the discipline, that had no connexion with the separation that had taken place, such Monthly Meeting would not be willing to receive them, without inquiring into the subject, and being fully satisfied respecting it, by some acknowledgment of the individual, or otherwise.

Q. Do you recognise them, as a body, as the Society of Friends?

A. That is a question I can't answer on behalf of society. I can say, that I believe we have given them no other name, than merely for distinction, they are called Orthodox Friends; which term they appear to have been satisfied with, which I heard one of their leading characters declare, in an assembly of perhaps more than two thousand people.

Q. Do you recognise the meetings held by them for worship and discipline, as meetings held in the regular order of the Society of Friends?

A. We speak of them as Orthodox meetings of their society: many of which meetings, however, have not been set up altogether in the regular order and former usage of the society; but they had to act upon circumstances, as some of our own meetings also had to do.

Q. Is not the setting up or holding of meetings, claiming to be meetings of the society, out of its regular order, a violation of the discipline?

A. As I have repeatedly stated before, there was no discipline made or provided for a revolution in the society; and hence both parties have set up meetings, in some instances contrary to what would have formerly been considered the regular order and usage of the society.

Q. Do you know the official title of the New York Yearly Meeting, which is recognised by you?

A. The title appears to be, "the Yearly Meeting of Friends of New York, Vermont, Connecticut, and the province of Canada."

Q. Was that its title before the separation?

A. I cannot say as to exact words; but I expect it was.

Q. Do you speak of the members in the New York Yearly Meeting from your own knowledge, or from the epistle to which you have referred, and from information derived from others?

A. I made no enumeration myself; I obtained it from some who were there present at the time of the separation, when I was present, and who said they had counted them, the Orthodox, as they passed away from the house. And before that sitting adjourned, after they had passed away, the strangers that were there present, not members of that Yearly Meeting, were requested to withdraw; and the object, as I was afterwards informed, was, to ascertain exactly how many Friends remained in the house, members of that Yearly Meeting, in order to prevent misrepresentation. The number I believe I have before given. I had also some further evidence of the numbers as they were estimated in the greater part of the Monthly Meetings constituting that Yearly Meeting, in pursuance of a minute that was issued from the Meeting for Sufferings, requesting an account to be forwarded to that meeting from the different Monthly Meetings, of the numbers of Friends, as also of the Orthodox; and the result of which was, from the best evidence I can obtain in the case, 12,617 Friends, and 5,922 Orthodox, and 798 neutrals; the aggregate 19,337, *errors excepted*.

Q. Are the rights of minors affected by the acts of the parents in the Society of Friends?

A. I don't think they would be, in common cases. But if parents belonging to one society should choose to join another, and take their minors with them, it would be reasonable that their rights should go with their parents. But if a parent was guilty of any immoral conduct, and disowned by a Monthly Meeting for such conduct, it would not affect the rights of his children that were then born.

Q. If the parent should join another religious society, would not the rights of his children fully remain in yours, during their minority?

A. If a parent should go from the Society of Friends, and join the Presbyterians, Methodists, or any other, and did not choose to take his children with him, and they were not of age to judge and choose for themselves, I suppose it would be considered that they remain members of the Society of Friends. But that would be very different, and have no analogy, in my apprehension, to the circumstance of a society dividing or separating into two equal or unequal parts.

Q. Can a society be separated into two parties, and yet each be the same society?

A. It has been done, and each claimed to be the society; but to determine which is actually the society, is for the chancellor of New Jersey, and not for me.

Q. Did not those whom you call Orthodox, issue an epistle from a meeting held by them in 1828, in New York, purporting to be "an epistle and testimony from the Yearly Meeting of Friends held in New York" in that year, and is not this the epistle?

[The witness, after examining the pamphlet put into his hands by the counsel, answers]—Yes. I believe this appears to be the epistle and testimony, purporting to have been issued by those Orthodox Friends, who seceded from the Yearly Meeting of New York that year, signed by their clerks; and as far as I have examined it, it appears to be very much s

twin-sister, and a great deal of it a repetition, of the Philadelphia declaration, issued in the same year. The said epistle is contained in Exhibit No. 44, from page 33 to 53 inclusive, and marked by me in brackets.

Q. Did not the Yearly Meeting of which you speak, which was attended by you in that year, after the separation, dissolve the Meeting for Sufferings?

A. I cannot be certain, as I have no minutes of that year to apply to: but my impression is, that as a number of the members for the Meeting for Sufferings, had went off with the party that seceded, they did release the former members of the Meeting for Sufferings, and appoint a new one, or some to supply their places; but I will not be positive about it. I believe there was a committee appointed that year, which might be considered as a substitute for the Meeting for Sufferings.

The counsel for Joseph Hendrickson here close their cross-examination of Halliday Jackson, and the further examination in this cause is, by consent of the parties, and their counsel, postponed until Tuesday next at three o'clock in the afternoon, at the same place.

J. J. FOSTER,
Master and Examiner.

Tuesday, March 8th, 1831, 3 o'clock, P. M. The parties, counsel and witness, attended as aforesaid.

The testimony of Halliday Jackson, given upon his cross-examination, was commenced to be read over to him, and proceeded in during the afternoon, and the next day, and concluded, when at his request the following corrections are made, viz:

Page 1035. At the Darby Quarterly Meeting, in 1826, on reflection I am satisfied that Willet Hicks was not present. He was there not long afterwards; and I was under the impression, when I mentioned his name, that he was present at that time; but that impression was not correct.

Page 1036. I said that the first number of the "Berean" I ever saw, was at the house of Nathan Sharpless. I find, on reflection, that I had mistaken the work: and that it was a copy of the controversy between Paul and Amicus, and not the Berean, that I saw there. But I saw the Berean at the house of another Orthodox Friend, Moses Palmer, in Concord, where I frequently put up.

Page 1044. The elder who was talking with William Evans when I went up to them, went with the Orthodox at the time of the separation, and remains with them.

Page 1057, bottom of the page. On reflection, I am not satisfied that Benjamin Cope was present.

Page 1108. Respecting the persons who were at the meeting of the contributors to the asylum, I could not at the time I spoke of them, remember that Abraham Lower was present at the meeting, but I have now a distinct recollection that he was there.

Page 1139. The committee spoken of, as having been proposed in that conference, in Fourth-month, I am now satisfied was not appointed until the meeting in Sixth-month following.

The counsel for the complainant and Stacy Decow, proceeds to re-examine in chief, the said Halliday Jackson, viz:

Question by Mr. Price. According to the usages of the Society of Friends, is a clerk the servant of the meeting, and in all respects subject to its direction?

A. I believe it has always been considered so: so far as I have experience in serving a meeting in that capacity myself, I have always felt myself bound to be the servant of the meeting, and to record what I believed to be the prevailing sense of the meeting.

Q. Are his minutes subject to be modified, and adopted or rejected by the meeting?

A. They are so.

Q. Do committees, on appeals in the society, decide by the great number of voices?

A. I believe that has been the uniform practice as far as I recollect. It has sometimes happened, that reports of such committees have been signed only by part of the committee. I never remember a report being made by a minority of the committee, either in the Quarterly or Yearly Meetings. In the case of the appeal of Ezra Comfort to the Yearly Meeting, I think the report was signed by a majority of *one*, of the committee; if my recollection is correct, that was the case.

Q. Were not the elderly, experienced and consistent members of society, as often found among the majority of Friends, as among the minorities of Orthodox?

A. I think there were, from my knowledge and observation, I think there is quite a full proportion of that class of society that are now in unity with Friends.

Q. You have spoken, during your examination, of a census having been taken by Friends: if you have a schedule of any of the particulars of it, please to make an exhibit of it?

Mr. Sloan. Any schedule prepared from any other source than the witness's own information, is objected to, as incompetent and irregular.

Witness. Here is a paper which I have given some account of before in my previous examination, and also the authority from which I obtained it. I will now offer it as an exhibit, believing that it contains nearly or as correct an account, in the different Quarterly Meetings, as can be expected to be come at; as those accounts were officially furnished from nearly all the Monthly Meetings, with two or three exceptions, I think, of those held out of Philadelphia; and I may further add, that it is a general way in the country meetings, or at least, I should suppose that in about three-fourths of the meetings in the country, the original records were in the possession of Friends, and they could have access to the original lists of their members. I stated before, some exceptions in the Philadelphia Quarter, which were obtained in a different way.

The paper referred to by the witness is offered in evidence on the part of the complainant, and Stacy Decow, and marked Exhibit T.—[See Appendix.]

Q. Although Friends were generally the majority of meetings, did they not generally make offers of an amicable settlement of differences as to property, agreeably to the injunctions of the discipline, and of gospel order?

A. I believe that has been done, in a great variety of instances; it was recommended by our Yearly Meeting, I think, in the spring of 1828 or '29, I will not be certain which; the epistle will show, that such offers should be made for an amicable settlement of the property, as was understood to be held by the parties in common, previous to the separation: in pursuance of which recommendation, the Monthly Meetings

by places took up the subject; and to give an instance of the manner in which it was done, I will offer a minute of the Monthly Meeting of which I am a member, on that occasion. This I know to be a correct copy of the minute of the Monthly Meeting of Darby, and it is in my handwriting.

The paper thus proven is offered in evidence on the part of the complainant and Stacy Decow, and marked by me Exhibit U.—[See Appendix.]

Q. Were Friends a majority of that meeting?

A. They were so. I can give the numbers as they stood at the time of the separation. There were about eighty-nine families of Friends, making three hundred and twenty-five individuals; about nineteen families of those called Orthodox, several of which, I believe, were only part-families, and making sixty-six individuals, as near as could be ascertained by a large committee appointed for that purpose, and who had access to our records of births, &c. and former lists of their numbers.

Q. When a new meeting is established, is the property purchased selected out of a general fund, such as in Yearly Meeting stock, or is contributed by the parties interested?

A. I am not acquainted, I think, with any instance where it has been selected out of the Yearly Meeting's stock. I believe the general practice is for those who are about to compose such a meeting, to raise the means of building a meeting house by private subscription among themselves. There may and have been instances, I apprehend, where a new meeting has been set off, and where the meeting they were about to separate from, may have, in part, been set up at their expense, that such meeting may have aided and assisted them in building a new meeting house; and there may be other cases where Friends may have been poor and in low circumstances, they may have obtained some aid from Friends individually, or from some of the superior meetings, to assist them in building a meeting house: but, I think, in all such cases, as far as I have knowledge of circumstances, the right of the property is vested in those Friends who are about to compose such a new meeting. Others who have contributed towards it, not making any claim in consequence of the aid they may have afforded.

Q. Did you ever know an instance in any such case, of any remainder or reversionary interest, or resulting trust, in the Meeting for Sufferings, Yearly Meeting of the society?

A. Yes. I suppose the counsel alludes to the case of that meeting being extinct.

Q. Counsel. In any way or shape.

A. I don't know that I am acquainted with any such instance. There is some advice in the discipline, I think, that when a meeting is brought into any difficulty in regard to their titles, as their trusts are sometimes found to run out, they are advised to make early application to the Meeting for Sufferings, in such cases, for advice and assistance. I suppose it is meant, in order that care may be taken to apply to the proper authorities, to have their titles secured; but not at all to be understood that the Meeting for Sufferings has any control over the property of such meeting. And there may possibly have been one or two instances, where meetings have become extinct—no Friends to occupy them—that the Meeting for Sufferings has, in some way, taken charge of the property.

Q. But how the proceeds of it have been applied, I cannot say.

A. Yes. 11--23

Q. Is the subordination of meetings, as established by the discipline for disciplinary purposes solely, or does it extend to give the superior meeting a control over the disposition of the property of the inferior meeting?

A. I think it is solely for disciplinary purposes, meetings for worship, &c. There is no discipline that I know of, which gives a superior meeting any authority over the subordinate meeting, in regard to the disposition of property; except the one I have instanced, in the Meeting for Sufferings affording advice and assistance, when called for in cases of difficulty.

Q. Have particular meetings been in the practice of freely disposing of their property, according to their own pleasure, as circumstance might render it expedient?

A. I don't recollect any circumstance of that kind that has occurred within my knowledge, except it may have been in Philadelphia. They have, since my memory, disposed of a large lot and meeting house, at the corner of Market and Second streets. They also disposed of a considerable lot with a meeting house on it, at the corner of Chesnut and Fourth streets. I don't recollect of any circumstance in the country meetings, of property being sold; but I should suppose, if a meeting found it to their advantage or convenience, to move their situation to some other part, they would have an unquestionable right to dispose of their property.

Q. Has it been the practice of the society to set up and lay down meetings by the mutual consent of the meetings concerned?

A. I believe that has been the general practice in society. I know of no instance of a meeting being *set up* without its own consent; and I believe there have been very few attempted to be laid down by a superior meeting, but what have consented to it before being laid down. There was a case occurred in Baltimore, some years ago, after they had divided the Monthly Meeting there, by mutual consent, and established one called the "Western District,"—there was some difference arising between the two meetings, about a matter of property, the circumstances of which I am not very intimately acquainted with; but I think they applied to the Quarterly Meeting in the case, as a case of difficulty. It agitated the Quarterly Meeting for a considerable time, and if I am not mistaken, there was some temporary accommodation took place at one period. It however eventually got to the Yearly Meeting, and I think, was several years under the care of the Yearly Meeting. One of the Monthly Meetings, called the eastern district, (the old meeting,) did not seem disposed to take either the advice of the Quarterly or Yearly Meeting in the case. Perhaps they might have had a little too much Orthodoxy about them, and not being disposed to submit to the voice of the majority; and finally the Yearly Meeting, I think, concluded to recommend the *laying down* of that Monthly Meeting by Baltimore Quarterly Meeting. A considerable portion of their members, however, for some time seemed to stand out; but finally concluded to yield the point, and submit to the decision of the Yearly Meeting, which appears by the following minute made on that occasion, which I will read. Witness reads: "On reading the report of the committee appointed to attend the Yearly Meeting, the Monthly Meeting of Baltimore, of the eastern district, made, on the 4th of the Eleventh-month, 1819, the following minute, 'which, (the report,) claiming the serious consider

ion of the meeting, it resulted in the conclusion, that however correct it may have considered its proceedings, and however trying the circumstances, yet, for the sake of the peace of society, it now submits to the discontinuance of the Monthly Meeting.' " I am acquainted with some other circumstances, where inferior meetings have not complied with the requisitions of superior meetings. I have learned from the records of Radnor Monthly Meeting, which I have examined on the subject, that in the year 1792, the Quarterly Meeting of Philadelphia recommended Radnor Monthly Meeting to hold their Monthly Meeting at Radnor, it being before held circular at three different places. It was not agreeable to the Friends of that meeting, and therefore it was not agreed to be so held, until Eighth-month, 1796, when the members became sufficiently united to adopt the measure. Also, in the same Monthly Meeting, in the year 1797, a committee of the Quarterly Meeting of Philadelphia recommended the propriety of uniting Merion and Haverford Preparative Meetings, branches of that meeting, and which report was united with by the Quarterly Meeting, and of course recommended to the observance of the Monthly Meeting. The Monthly Meeting appointed a committee to consider the subject; and Friends of those Preparative Meetings not being united in it, the committee of the Monthly Meeting reported in Twelfth-month, 1798, as their judgment, that the said Preparative Meetings be continued to be held as they had formerly been; and they continue to be so held to the present day, I believe.

Q. Is it the uniform practice of superior meetings, whether in the discipline or otherwise, to hold the language of advice and recommendation to the inferior meetings, and patiently wait for the consent of those meetings?

A. I believe it has always been practised, as far as my knowledge extended, before the present difficulties took place in the Society of Friends. There is an instance recorded in the journal of John Griffith, which it is a good while since I have read. I can state the circumstances as they occur to me, without recurring to the book, or read it from the book itself, which I have here. Preferring the latter mode, I will read from page 303 to 313, 314 and 315. From page 303 I merely want to show, that there was a committee appointed by the Yearly Meeting of London—

Mr. Sloan. interrupting the witness: The witness is now giving his testimony, with the book, to which he refers, before him, turning the leaves, and occasionally reading. I must, therefore, insist, either that the book be closed, and that he give the case from his general knowledge of it as an historical event, or make the book itself an exhibit, or read from the book the whole case, that it may be fully understood; and not allow the dictates of counsel, by reading that part of it which it is alleged contains the substance of the case.

Mr. Price. I have not undertaken to dictate any thing to the witness, after numerous suggestions of the opposite counsel, as to the course the witness should take, merely presumed to intimate to him, that the whole of the case, in relation to the Cotterhillhead Monthly Meeting, would be found, beginning at the foot of page 313, and ending on page 315, which the witness might quote, if he thought proper; as the like has very frequently been done by Thomas Evans and others during the course of this examination.

Mr. Sloan replies: As we are compiling a book, as well as taking testimony in this cause, that a correct history may be given, I merely add that the suggestions made by me, alluded to by the opposite counsel, were made in consequence of the by-conversation between himself and the witness, as to whether the book should or should not be made an exhibit; and were not intended in any way to interfere with the examination of the witness.

Mr. Price. About which, I gave no direction to the witness.

Mr. Sloan. I don't wish to cumber your record with a statement as to what did pass between the counsel and the witness, but the counsel is unquestionably mistaken.

Mr. Price. I must then appeal to the Examiner, to settle the question between us.

The Examiner not having heard the counsel, directs the witness as to the course he should pursue, although a conversation had taken place between them across the table, on the subject of exhibiting the book, which is admitted, the witness having asked whether he should make it an exhibit; and was answered, that he might do so or not, at his own option, desired the counsel to proceed in the examination.

The usual hour having arrived, adjourned until to-morrow morning at 10 o'clock.

Thursday morning, March 10, 1831, at 10 o'clock. Examination of Halliday Jackson continued. Present the same as yesterday.

The witness continues his answer to the last question.

The interruption that took place last evening, I apprehend, was occasioned from my not understanding whether I had liberty to read from the book, or whether I should make an exhibit of it; and from my asking a question of the counsel on that subject, the counsel remarked, that I might take my own course; and being fully satisfied on that subject, I shall now proceed with my answer, and read the part relating to the subject that I had in view.

I mentioned, page 303, of John Griffith's Journal, merely to show that there was a committee of the Yearly Meeting of London, appointed in the year 1760, to visit their subordinate meetings; which committee proceeded on that service in the beginning of the year 1761. John Griffith feeling his mind engaged to unite with that committee in the visit, he makes the following remarks in regard to Cotterhillhead Monthly Meeting, owing to the low state of which the superior meetings had for a considerable time previous, a good deal of exercise and concern. I will now read, beginning at the bottom of page 313, all, as I apprehend, that relates to that particular meeting—I mean as it regards this particular visit. [Reads.] "The 24th we visited those under our profession at Cotterhillhead, called a Monthly Meeting—but alas, upon inquiry, we found but very little done of the business proper to a Monthly Meeting; neither was it held in due course, but rather occasionally, for some particular purposes. And when the state of the members appeared, we did not marvel thereat, seeing most of them were unfaithful in regard to that important testimony, against tithes and other anti-christian demands of that nature: other great disorders also had crept in, nor can any other be reasonably expected, where persons are so void of a right understanding as to sacrifice that noble testimony—they have not strength to maintain other branches in a consistent, efficacious manner, so that

were this defection hath prevailed, we have observed the most essential part in religion (among us as a people) has fallen with it. Meetings for worship and discipline are neglected, and if sometimes held by which, they are to little good purpose—plainness and self-denial are departed from—this hard, dark, tithe-paying spirit is so blind, as to see but little in any branch of our testimony, wherein there is a cross to the carnal mind. Upon solid consideration, we did not think that using endeavours to regulate that meeting in its situation at that time, would answer any good purpose—but the great thing pointed out to us in the light of truth, was its being dissolved, and that the members thereof might be joined to Hertford Monthly Meeting, which had been endeavoured for several years, both by their Quarterly Meeting, and also several committees of the Yearly Meeting, which had not, until now, proved successful, as the consent of most of the members could not be obtained—but this meeting, through divine favour, was wonderfully overshadowed with a solemn weight of heavenly power, which moved and tendered their spirits; and at the same time, mercifully enabled us clearly to demonstrate, that they contended only for the name of a Monthly Meeting; seeing the service of such a meeting was not answered scarcely in any instance. They at length generally yielded, and a minute was made to propose a junction with Hertford, which is since effected, to the great ease and satisfaction of Friends.”

I may further state in answer to the question, that I have known of no instance that I recollect, either from history or otherwise, where a meeting of Friends has been laid down, without in some way finally obtaining its own consent. I might further add, until this new era of light has dawned upon the society, when our Orthodox Friends have undertaken to lay down meetings, as with the stroke of a pen, which I have before shown.

Q. Does the discipline, when speaking of *laying down* meetings, refer to cases of suffering meetings to go down through weakness, or to a power of forcing them down without their consent?

A. I should suppose it meant to imply that they should not be suffered to go down through weakness, without the consent of a superior meeting; rather than to have a power in such meeting to force an inferior meeting to lay down at its pleasure. I can read a paragraph from ancient discipline on that subject, made in 1704, which says that “no Quarterly Meeting be set up or laid down without the consent of the Yearly Meeting, and that no other meeting of business or worship be established or *let fall* without the consent of the Quarterly Meeting, where Quarterly Meetings are established; and where not, then to have the consent of the next Quarterly Meeting adjoining.” [The last quotation is read by the witness from the manuscript in his hands.]

Q. Is there any discipline or usage of the society authorizing committees of the Quarterly Meeting, or of other Monthly Meetings, to incorporate themselves as a part of a Monthly Meeting, to carry on the process of disownments?

A. I don't know of any discipline that would authorize a committee of a Quarterly Meeting to engage in visits of that kind to offenders: Quarterly Meetings may appoint committees to render advice to Monthly Meetings in cases of difficulty, when they make such a request; but I believe it has not been understood that they have authority, and I am satisfied that it has not been the usage of the society, for such commit-

tees to become incorporated with a Monthly Meeting in dealing with offenders.

Q. Has such practice been pursued by the Orthodox party to effect what they call *disownments* of Friends?

A. O yes; there has been an abundance of that carried on in different parts of the Yearly Meeting; and not only in Quarterly Meetings sending their committees far out of the limits of their own Quarters: I think a case occurred in what they call the Orthodox Quarter, held at Concord sending a committee one hundred miles, or more, down to the eastern shore of Maryland, and in the state of Delaware, to join with a few that were left of their number in that Quarter, in disowning the great body of Friends there; but in a great variety of instances I have heard of their committees of their Quarters, travelling out of the limits of their own Monthly Meetings, in performing this service of what they called *treating with* and *disowning* Friends.

Q. Is the executive power of the society to carry into effect discipline in this respect, solely vested in the Monthly Meetings?

A. I have always understood it so.

Q. When one party is in the violation of the discipline and order of the society, is it in a state to insist upon the observance of discipline towards it, by the other party?

A. I think they would be very poorly qualified to give such advice to the other party; and the proverb might well be applied to them, "Physician, heal thyself:" and also that scripture declaration, "First cast out the beam out of thine own eye, that thou mayest see clearly to take out the mote that is in thy brother's eye."

Q. When Friends of Philadelphia sought the protection of Darby Monthly Meeting, was it from the domination of that party which you have spoken of, who had irregularly undertaken to stop a minister travelling in the order of society, who had rejected the representatives of the southern Quarter, who had attempted to impose an elder on Green street Monthly Meeting, and to lay it down against its consent, who imposed a clerk on the Yearly Meeting of Fourth-month, 1827, who perverted the discipline to sever the society, and arrogate its property to themselves?

A. Yes; I think I can answer that in short. It was from the arbitrary measures pursued by that party, which I have before largely shown, in my previous examination.

Q. Had there been cases of releasement of elders and ministers from their appointments, previous to the late division in the society?

Witness. Releasements, by whom?

Counsel. By the Monthly Meeting appointing them.

A. I don't know that I can recognise an instance within my knowledge, but I have some historical facts in relation to the early appointments of elders, which I shall note a few circumstances from, without burdening the record with a great deal of quotation, and which I have compared with the records of those meetings from which these extracts were taken, and from which it will appear, that in a great variety of instances elders were appointed for a limited time, and released at the pleasure of the Monthly Meeting. It appears that the discipline for the appointment of elders to sit with the ministers, was made about the year 1714; and in compliance with that recommendation of the Yearly Meeting, it appears that in Bucks Quarterly Meeting, Middletown Monthly Meeting

made the first appointment of elders under that rule; and the following minute was made on the occasion, dated 3d of Twelfth-month, 1714—“This meeting doth appoint John Baynes and John Perquite, according to the order of the Yearly Meeting, to sit with the ministers in their meetings, and that there be a new election every year, or oftener, if there be occasion.” [Middletown Records, book A. p. 122.] And at the Monthly Meeting held 2nd of Twelfth-month, 1715—“Adam Harker and Stephen Twining are appointed to sit with the ministers in their meetings for the ensuing year, or until others be appointed in their stead.” [Same records, page 128.] And at 2nd of First-month, 1721—“This meeting doth appoint Thomas Baynes and Thomas Hillborn to sit with the ministering Friends in their meeting.” [Same record, p. 16.] The next is 4th of Seventh-month, 1729—“Thomas Baynes having been one of the Friends appointed to sit with, or accompany the ministering Friends in their meetings, but being removed from amongst us, this meeting appoints John Wildman, along with Adam Harker, to serve in his stead, until further orders.” [Same record, p. 233.] Under date of 5th of Ninth-month, 1730, I find the following minute—“Adam Harker having been appointed by this meeting, to meet and sit with the ministers in their particular meetings, but being likely to remove for a time, this meeting appoints William Paxson to serve in that place along with John Wildman, till another may be appointed.” [Same record, p. 38.]

There is another instance or two I will read to show that there was not a limitation. The first is 5th of Fourth-Month, 1740. “This meeting appoints Robert Collison, as an elder to sit in the meeting of ministers, in the stead of John Wildman, deceased.” [Same record, p. 97.] The next is 1st of Ninth-month, 1750: “Adam Harker, one of the Friends appointed by this meeting, as an elder, to attend the service of the select meetings, being removed to Philadelphia, this meeting appoints James Thackray, to serve the meeting in that station, in his stead.” [Same record, p. 384.]

I will now refer to Concord Monthly Meeting. It appears that about the same period, in pursuance of the discipline that was made for the appointment of elders, Concord Monthly Meeting proceeded to appoint, in pursuance of that recommendation, and under date of 5th of Twelfth-month, 1727, “John Townsend is appointed an elder for Birmingham Meeting,” (which was a branch of that Monthly Meeting,) “to attend the meeting of ministers and elders till further orders.” [Concord records, 1st vol. p. 234.]

Under date of Third-month 3d, 1736, an elder being reported as deceased, said meeting appointed “John Bezer to attend that service, till further orders.” [Same record, p. 283.]

And under date of 7th of Twelfth-month, 1736, another elder having deceased, “the meeting appoints Benjamin Mendenhall to attend that service, till further orders.” [Same record, p. 288.]

Under date of 7th of Third-month, 1744, Thomas Gilpin was appointed in the room of Ralph Evanson, deceased, no time stated. [Ibid. 40.] He was released from his said station without his request or signation. By minute bearing date the 4th of Sixth-month, 1746, Concord Preparative Meeting returns William Trimble for an elder to sit in the meeting of ministers and elders, in the room of Thomas Gilpin, which is accepted till further orders.” [Ibid. 359.]

On examining the records it does not appear thereon, that Thomas Gilpin was under dealing, or that he requested to be released from the station.

In Ninth-month following, he applied for, and in due time obtained, a certificate of removal. [Ibid. 360.]

Under date 3d of Fifth-month, 1756, "Chichester Preparatory Meeting proposes Christopher Dingey, for elder, (with William Ford,) which this meeting allows of, till further orders." [Ibid. 428.]

I might go on and state a number of instances of the appointment of elders in the same way, but I don't wish to swell the record more than necessary.

There is one instance which I find on the records of Concord Monthly Meeting, under date of the 5th of Eighth-month, 1778: "This meeting having, some time ago, recommended to the Quarterly Meeting of ministers and elders, Phebe Yarnall as a minister, and Hannah Carter as an elder, do now discontinue them from being members thereof; and the clerk ordered to furnish their next Quarterly Meeting with a copy of this minute." [Page 59.]

At a subsequent meeting, held the 8th of Fifth-month, 1782, Birmingham Preparative Meeting proposes our friend, Hannah Carter's being reinstated to the station of an elder, and a committee was appointed to take an opportunity with her on the occasion, and report thereof to the next meeting. And at the next meeting, in Sixth-month, she was again recommended to the meeting of ministers and elders, as an elder. From which it appears to me that the practice of appointing elders for a limited period, and Monthly Meetings releasing them at their pleasure, is not a new doctrine in the society. I don't know that I can add much more; with respect to ministers, I have known from general repute, some instances, where they have been displaced from their stations. I have never known an instance, I think, where it was done by a Monthly Meeting, without they had given some ground for uneasiness, in regard to their conduct, in some way or other.

Q. You have spoken in your cross-examination of the denunciations of Ann Jones and others, against Friends: was it the habit of Elias Hicks, and other ministering Friends, to recriminate and revile those who reviled against them?

A. No, I never heard any thing like it, in the course of their ministry; which I think will abundantly appear from their testimonies, that have been taken down, and published to the world. I think the *hardest* thing I ever heard Elias Hicks utter in a public testimony, (and that does not say to whom it was applied,) is contained in the following extract from one of his testimonies, which I heard delivered in the meeting of which I am a member: "And there are those who assert that I disbelieve the scriptures, and that I undervalue them; but there is not a greater falsehood expressed among mankind; and I will assure you, my friends, that what I say is the truth; I have loved the scriptures of truth from my youth; I have delighted in reading them, and perhaps there are none who have read them more than myself; and I presume, according to my knowledge, no man has received more advantage than I have, and continue to have, from reading them." [1st vol. Quaker, p. 19.]

Q. I think you have been asked, as to the purchase and circulation of those testimonies, and other works by Friends, since the separation. I

ould ask whether they have extensively promoted the publication and circulation of the writings of early Friends?

A. I don't recollect that I have been asked a question of that nature; but I can answer that Friends have been very much engaged in patronising and encouraging the republication of some of the writings of our ancient Friends. The works of *George Fox* are now in the press, to contain eight volumes I think, large octavo, which I believe are pretty largely patronised by the subscriptions of Friends; and the publication of it, I think, was patronised in that way, by the recommendation of the Yearly Meeting of New York, the last year. The works of *William Bayly* have also been republished of latter time, and patronised by Friends pretty extensively, I apprehend. The works of *William Shewen*, and more recently the works of *Job Scott*, containing two large octavo volumes, have been published under the patronage of Friends. And I think many other works of a smaller sort. These were all men, eminent in their day, and esteemed as advocates for the principles of the Society of Friends: and which, as a society, we yet highly esteem.

Q. You have been cross-examined as to what you knew of *Benjamin Webb*, and the "*Delaware Free Press*;" was not Benjamin Webb at the time of the adjournment in December last, and since, under the care of the Monthly Meeting or its overseers, in relation to his concern in that paper?

A. From what I have understood, since, he was under the care of the overseers at that time, though then unknown to me. He has since been under the care of the overseers, and the Preparative Meeting, and is now under dealing in the Monthly Meeting, for the part he has taken in that paper.

[NOON.]

Q. Did Doctor William Gibbons advocate the sentiments of Frances Wright, Robert Dale Owen, and others of that school, when he wrote and published his "*Exposition of Modern Scepticism*," in a letter addressed to the editors of the "*Free Inquirer*?"

A. No; I think he was very far from it; which his book will show for itself.

Q. Is this the book? [producing a pamphlet to the witness.]

A. Yes, this appears to be the third edition of it, and which I am willing to offer as an exhibit.

The said pamphlet is offered in evidence on the part of the complainant, and Stacy Decow, and marked Exhibit V.

Q. Was that work extensively circulated and approved in the Society of Friends?

A. It was the work of an individual, for which he alone was responsible; and I believe it had a very extensive circulation, not only among Friends, but among other professors, as it very soon underwent a third edition. I have also understood from common report, that when it first came out, it was highly extolled by some of those called Orthodox; Samuel Bettie was one who I heard mentioned it, as pronouncing it an extraordinary work. I have understood that the Meeting for Sufferings of Friends, in Ohio, have got a large edition of it printed there. There have, however, been some individuals, I believe, that I have heard of among Friends, who did not altogether approve of it, as being thought to be rather too severe; and, I think, the editor of a paper called "*The*"

Friend," published in Philadelphia, or an editorial remark made in that paper, made some pretty severe remarks about it; I cannot repeat them. Elisha Bates, also, in Ohio, attacked it pretty warmly in the paper of which he is the editor; but whether in so doing, they meant to be understood, as advocating or defending the principles of Frances Wright or Robert Dale Owen, is best known to themselves: or whether it was from the great antipathy they felt towards Dr. Gibbons, as they had some time before that (and especially Elisha Bates) had a controversy with him, and felt the force of his pen.

Q. When a meeting gives a minute of the acceptable service of a travelling minister with them, is it ever understood by the society to extend to any other occasion than that the service of which is approved?

A. I never understood it to extend to any thing further than the service that he might have had in the meeting granting such a minute; unless that minute expressed something further. It would be unreasonable to construe it in any other way; for, however acceptable an individual's service might be in one meeting, that meeting could not be able to judge of it in another meeting where they were not present.

Q. You think then, it would not go to approve of every detached sentiment, or part of a sentiment, which those inimically disposed against the minister might have treasured up as delivered in other Yearly Meetings, and distant places, and which that meeting would have had no knowledge of?

A. No; it could not be construed in any such way: or else it would be dangerous for any meeting to give any minister a minute of approbation of his services in that meeting, however high his standing might be.

Q. Has a Yearly Meeting any constitution prescribed to it by a superior power limiting its authority, or is it, itself, the highest power in the society, being a convention of the people themselves?

A. I have stated before, I think, that a Yearly Meeting has no superior head, but the great head of the church. It is the convention itself, met and assembled together, that must form rules for its own government, and that convention is made out of the people: and each Yearly Meeting is an independent body, subject to no control from any other similar body, or any convention that such bodies might form: unless such Yearly Meeting has resigned its powers as an independent body, into that convention.

Q. Were Friends, Friends, before the separation of the Orthodox?

A. They were so.

Q. Are they the same now that they were before such separation?

A. They profess to be the same: and know no other title, but the Society of Friends: and disclaim all other titles that have been given them in derision by their enemies.

Q. Have they adopted any creed or testimony of faith to evince that they are not the Society of Friends; or have they repealed their testimonies against war, a hireling ministry, oaths, slavery, gaming, fast-days, and formal worship,—ardent spirits, worldly compliments, and fashionable attire, detraction and litigations?

A. No; they have adopted no creed of that nature: nor issued any declaration to evince that they are not the Society of Friends. They endeavour to maintain those various testimonies, there recited, as they have formerly done. But as it is never to be expected that the militant church will be entirely perfect in the support of all its various testimo-

nies, so we must acknowledge that there are deficiencies in some respects, among some of our members; and more especially in copying after the manners and customs of the world, in fashionable attire. But as a society, we endeavour to maintain those testimonies according to the ability afforded us.

Q. Are you sensible of an equal faithfulness to those testimonies, since the separation, as before?

A. Yes. I think quite as much so: and in many respects there seems to be a reviving of zeal in the support of those testimonies: as was very evident in the sentiments that have been expressed in our Yearly Meetings, by the most valuable and active members of society.

Adjourned until to-morrow morning, at 10 o'clock.

Friday morning, March 11, at 10 o'clock. Examination continued.

The counsel for the complainant, and Stacy Decow, having rested the further examination in chief of Halliday Jackson, he is again called, and further cross-examined on the part of Joseph Hendrickson, to wit:

Question by Mr. Sloan. Has not a great portion, if not all the property of the Society of Friends, been acquired by *donation* or *bequest*?

A. I am somewhat at a loss to understand the question; does the counsel mean to include *subscriptions*?

Counsel. Certainly; they are considered as *donations*.

A. I expect it has, generally, been acquired in that way. I don't see any other way in which it could be acquired.

Q. Have not all the conveyances to the society for property thus acquired, been made *in trust* for the use of the religious Society of Friends; and is not all their property held in that way?

A. I have not had an opportunity of seeing and examining many of the title papers of the property of Friends, held for the use of meetings; but so far as I do know, I think each meeting holds its property by trustees appointed by that particular meeting, for the use of the Friends who constitute such meeting, and for no other purpose that I know of, nor subject to the direction of any particular meeting.

Q. So far as you have any knowledge of the conveyances to meetings, has not the declaration of the trust contained an express clause, that the property should be held for the use and benefit of the members of the Society of Friends, of the meeting to whose use it was conveyed?

A. Yes. So far as I have knowledge, I think, that is the form of the trust, confined to that particular meeting specified in the trust.

Q. Is there not also a clause contained in these declarations of trust, that if any of the trustees shall be disowned by the meeting, that they should no longer be considered as trustees under the conveyance?

A. Yes: I rather expect that is generally the case; though I have not had many opportunities of seeing the title papers.

Q. Under these conveyances, and the discipline of your society, has it not always been considered by the society, that a member who was disowned, thereby lost all his rights in the property held by the society, as well as his right to religious communion with them?

A. I think that has generally been the case. And I think it is right it should be so; that when a man has been guilty of any immoral conduct, or any other violation of the discipline and rules of the society, and becomes justly disowned for such conduct, his claims on the society, and on the property, would of course cease. But I should suppose it was

never intended by such order to put it into the power of a few individuals in any meeting to assume to themselves, the right to disown the largest portion of the meeting, on some flimsy ground not authorized by the discipline, and thereby monopolize to themselves the whole of the property; or otherwise it might come into the hands of an individual or two who might be disposed to speculate on the property of the society in that manner; and finally a single individual might do as a Friend is said to have done in one of the West India Islands, where a meeting of Friends had become so far extinct, that there was but himself and one other left when he persuaded the other to join him, and hold a Monthly Meeting, where he disowned him and took the property to himself.

Q. I don't think that I fully understood the idea intended to be conveyed by the witness, in his re-examination in chief, in his answer to a question relative to the control which a superior meeting might have over the property of an inferior, where such inferior meeting by reason of the death, removal, or disownment of its members may have become extinct; do you mean to say, that in such a case there is no power or authority vested in the superior meeting to make a disposition of such property, and apply the proceeds to the use of the society, or what would become of the property in such a case?

A. I have no knowledge of any discipline in the case; which is the only criterion we must judge by, that gives a superior meeting any authority over the disposition of the property of an inferior meeting; and I think I am not acquainted with any circumstance of that kind that has come within my knowledge, except there be a circumstance at Charleston, South Carolina, somewhat of that nature. When a meeting has become nearly or quite extinct, I cannot say how that was, and whether the Friends that were last there might have requested the Meeting for Sufferings to take it under their charge and care, I know not: but previous to the separation in 1827, it was under the care of the Meeting for Sufferings, or the Yearly Meeting here, I am not sure which. How it has been disposed of since, I can't tell any thing about it. The circumstance I have last mentioned of a meeting in Bardadoes, perhaps, one of the West India Islands, was another instance of a meeting becoming extinct; but how the proceeds were finally disposed of, I don't know. And I apprehend, that in the great emigration that has taken place, of Friends in the southern states, within the last twenty years, there must have many meetings become extinct: but how they disposed of their property I cannot tell.

Q. In those cases in which from great diminution of numbers in a meeting, the society have thought it expedient to transfer such meeting and join it to another Monthly or Quarterly Meeting, do the rights of the members of the meeting so transferred in the property theretofore held by them, remain unimpaired by that act?

A. I should not think they would be impaired, if the trust was originally in the members, and for the use of that particular meeting; though they might have laid down a Monthly Meeting by mutual agreement, or a Preparative Meeting, and attached them to a neighbouring one, I think their rights would remain unimpaired, unless by their own acts they had chosen to convey them away to the meeting to which they had become attached.

Q. Is there any thing in the discipline which contemplates the exist-

two parties in the Society of Friends, or are all its provisions for the governance of the society as one body?

I have repeatedly, I think, before, in substance answered that question at there was no provision made in the discipline for a revolution in the society. But since the separation has taken place, both parties are under the necessity of acting according to circumstances, and not according to any such provision in the discipline. And it seems by the minor parties pursuing the others at law, they seemed disposed if they can countenance and support of the civil authorities, to monopolize the property to themselves.

Is there any thing then to be found in the discipline, or in the constitution to which you have alluded, authorizing or justifying the society making an apportionment or allotment of the property held by them, between two parties, each of whom claim to be the Society of Friends, and how the use of the property was obtained?

What I stated before, was that there was no provision made in the discipline for such an event; and certainly there can be no discipline to prevent Friends from making such disposition of their property as they think best, where they can do so by mutual agreement; and they have the power to mutually agree if they choose to do so.

Would not such agreement on the part of those who profess themselves to be the Society of Friends, and to act under its discipline as established, and who profess to believe, that that portion of the society which has separated from them have forfeited their rights of membership, and are not any portion of the Society of Friends, be a violation of that part of the discipline, which directs that "all monies and legacies be strictly applied to the uses intended by the

That question seems to involve the same subject, I have so repeatedly answered, in regard to a division in the society, for which there is no provision made. And if Friends were willing to concede to the counsel we were thus circumstanced, as he has described in that question, it would not be a violation of the discipline in such cases. But the society is divided, and each claiming to be the Society of Friends, maintaining their principles, and acting under its discipline, the decision must rest with some higher tribunal than this, to say who are the Society of Friends. The Court of Chancery is the higher tribunal I spoke of.

In the propositions made by those whom you call Friends to the other party, for an amicable adjustment of your difficulties, by divisions of the property or otherwise, did you not always assume that *you* were the original Society of Friends, and was not that one of the objections made by the other party to your propositions, that they did not, nor was it not consistently with their professions and convictions, acknowledge your party as the society, believing as they did, that you had violated the discipline by the course you had pursued?

We have always professed to be the Society of Friends as formerly; and in regard to property, we considered that our civil rights; but our religious principles were not involved in the amicable settlement and division of the property as held by the parties in common, previous to the separation, further than we had a testimony against going to law; therefore, as they had separated from us from motives best known to themselves, we considered they were entitled to their *civil rights*, and a division of the property, according to their numbers, as they might

stand divided in the particular meetings to which they belonged; therefore these friendly overtures were made—I believe, in a great many instances in an official way, one of which I have produced here in the form of a minute of the Monthly Meeting of which I am a member—and I think I might have produced many more of similar ones that are in my possession at home—but I don't know that I can recognise any one instance where they have given Friends an official answer, further than they may have said, in answer to some of these offers, that they could make no compromise with us; and many individuals of them have said that they would have *all* or *none*.

Q. My question was limited to the overtures made by you; in that did you not always assume the fact that you were the Society of Friends and that they had separated from it, as you have done in the exhibit which you have alluded to? (Exhibit U.)

A. We have always, as I said before, maintained that we were the Society of Friends, and have admitted in the paper that I have offered as an exhibit, (Exhibit U,) that they had separated from our meetings. But we have used no appellation to them, as designating them by any other name. It is merely confined to the matter of property, to make an amicable settlement and disposition of that. As to the form that other meetings have pursued in such overtures, I cannot say as to the language they have made use of, as I have none of them here to refer to.

Q. Were your propositions addressed to them in their collective capacity as a society at all, or were they addressed to them individually, enumerating a greater or less number of names, as persons who had separated from society?

A. In the circumstance of our own meeting, there were four copies of that minute I have offered, made out, signed by the clerk of our Monthly Meeting, and which was addressed to the four individuals who are named in the minute, one of whom was the clerk, said to be the clerk of the Monthly Meeting they had set up, or assumed to set up; the other three were prominent individuals among them. Myself and another Friend were appointed to furnish them with these papers; we accordingly did so, and requested them to take the subject under consideration in their collective capacity, and to furnish us with an answer when they were ready. Three of them accepted the papers, and gave us some expectation that they would so consider the subject. The other one did not keep the paper; but after hearing it read, desired us to keep it ourselves, or to give it to somebody else, as he did not wish to have any thing to do with it. But we have never, I believe, received any answer to those papers, in any official way, or otherwise. There have been a number of other instances I have heard of, where a deputation of this kind has went either to their Preparative or Monthly Meetings, in the case might be, and made the same friendly offers in that official way.

Q. You have spoken of lists of members of the country Monthly Meetings—was it usual for the meetings to keep such lists before the separation; and for how long had it been practised?

A. I believe that has been a pretty general practice in society for a long time, and perhaps from its early establishment of discipline. One of our annual queries is, whether a regular record is kept of births and deaths, and those who come from other places, and received among us, were recorded on the minutes of the Monthly Meeting, from which lists at any time could be made out.

Q. Are those *records* the *lists* to which you alluded?

A. They are in part so; but in addition to this, I believe it is a very common thing to have a list of the members made out in a book for that purpose; it was, however, so in the Monthly Meeting of which I am a member.

Q. In what other meetings have you known any such lists to be kept, since the separation?

A. In the meeting of which I was formerly a member, I think it was the case there; and I have learned from common repute, that it was a pretty general practice in society.

Q. How long before the separation had the list of your Monthly Meeting been revised and corrected?

A. Well, I cannot say exactly how long. There was, some good many years ago, a committee appointed, of which I was one, to go round to the families, and to take a correct list of all our members which were then recorded in a book; and it became the duty of the clerk to enter the names of those that came from other places, and were received among us, as also to note those who removed away. This, together with the record that was kept of births and deaths, would furnish the amount of our numbers at any time. I was, however, myself, after that record was made out, some years after, round with a woman Friend, on a visit to all the families of our Monthly Meeting, when I then obtained a correct list, I think, of all our members.

Q. Have not the *lists* which you have seen, principally been made out since the separation?

A. I have no doubt they *have* been made out since the separation; but generally taken, I believe, as they stood at the time of the separation. I think it will be found so noted on the paper that I exhibited.

Q. Previous to the existing difficulties in the society, did you ever know an instance of a Monthly Meeting throwing off its subordination to its proper Quarterly Meeting, and refusing to submit to its authority and direction?

A. I don't recollect any instance within my knowledge, except the instance of the eastern district Monthly Meeting in Baltimore might be considered in that light; nor I never knew any causes to operate to produce such a result in the former harmonious state of society.

Q. That was the meeting of which you spoke yesterday as having been laid down?

A. Yes, the same.

Q. In case of a difficulty arising between a Monthly Meeting and its Quarter, would not, under the discipline and usages of the society, the Monthly Meeting be bound to defer its judgment to the Quarterly Meeting, and submit to its directions?

A. The discipline points out the subordination of a Monthly to the Quarterly Meeting, and of a Quarterly Meeting to the Yearly Meeting. If the Quarterly Meeting was acting consistent with the discipline, and united in its decisions, it would be obligatory on a Monthly Meeting to submit to its judgment.

Q. Until the present difficulties in the society occurred, was it the universal practice of the society in their meetings for discipline, to act under that provision of the discipline, and to maintain the subordination of meetings as therein directed?

A. In the former harmonious times of society, I don't recollect any

instances requiring a Quarterly Meeting to exercise any coercive measures, except the one I have noted in Baltimore.

Q. You have spoken of some advice given by the Philadelphia Quarterly Meeting to Radnor Monthly Meeting; was not that advice given by a committee and a minute of the Quarter expressed in these words, "It is desired that that meeting may give such attention to the recommendation, way may open for?"

Witness. Which case does the counsel allude to? there were two.

Counsel. The last of the two, relating to the two Preparative Meetings.

Witness in answer. I cannot say as to the precise words of the minute of the Quarterly Meeting: I saw the record of that Monthly Meeting and noted the case in a summary way, as I stated it yesterday.

Q. Are not the queries addressed to the Preparative, Monthly, and Quarterly Meetings, required by the discipline to be answered by all of those meetings?

A. Yes; I believe the discipline shows that they ought to.

Q. Does not one of those queries ask, "if due care is taken regularly to deal with offenders against the discipline?"

A. There is such a query.

Q. In case a Monthly Meeting, from weakness, or from any other cause, was remiss in performing its duty in this respect, would it be the duty of the Quarter to which it belonged, to extend such care as would be requisite for the support of the discipline?

A. When a Monthly Meeting was deficient in this respect, in putting the discipline in practice against known offenders, and this was known to the Quarterly Meeting, the Quarterly Meeting might afford advice by a committee, or otherwise, to such Monthly Meeting, to stir them up to more diligence in the performance of their duty.

Q. Would it not be the duty of the Quarterly Meeting, in cases where from a failure to answer the queries, or for any other cause, the meeting was satisfied that the subordinate meetings were remiss in the performance of any of the duties prescribed by the discipline, to extend such care as should be deemed requisite in the case?

A. I don't think I have known any such case, where a meeting designedly omitted to answer the queries. There is frequently, in the answer to the queries, an account of deficiencies in some respects—such as the too frequent neglect of attending religious meetings—some other things, sometimes: and when this becomes very apparent, there is frequently a committee appointed in the Quarterly Meeting, to visit subordinate meetings, and to endeavour, as I said before, to stir them up to diligence.

Q. You have spoken of instances where Quarterly Meetings have appointed committees out of their Quarter to deal with offenders: will you state what Quarters you allude in your remarks upon this subject?

A. As it regarded Quarterly Meetings, I instanced the case of Concord, travelling out of the limits of their Quarter; and of course they were out of the limits of their own Monthly Meetings also. I also had an allusion in my mind to the western Quarterly Meeting, where there had been a great deal of travelling out of the limits of their own Monthly Meetings, as I have been well informed.

Q. My question related to Quarterly Meetings; can you state other than the instance given?

A. I don't know that I can. Perhaps there is no other Quarter

meeting but the southern Quarter, which our Orthodox Friends have assumed to lay down, where these visits were paid by those being members of Concord Quarter.

Q. Previous to these visits being paid, of which you have spoken, had the Yearly Meeting held in Arch street laid down the former southern Quarter, and directed that its members should be attached to the Concord Quarter?

A. As I was not there, I cannot tell what they did in those meetings, with regard to their own regulations of that kind, respecting their meetings. They were not so liberal in publishing their extracts to make us acquainted with their proceedings in that respect, as they were in publishing declarations against us. But one thing I know, that the southern Quarter did not lay down; for I attended it last Fifth-month, when it was as largely attended as I had seen it at any former period previous to the separation. I have heard that that Yearly Meeting issued such a mandate as is referred to in the question.

[NOON.]

Q. Is there any rule of discipline vesting the executive power in the society, solely in the Monthly Meetings?

A. I must refer to the discipline itself, showing the powers of Yearly, Quarterly, and Monthly Meetings. I know of no other rule. I have always considered a Monthly Meeting as having the executive power over their own members.

Q. You have placed upon the record a variety of matter, which you state to have been extracted from the minutes of the Middletown and Concord Monthly Meetings,—were those extracts made by you?

A. No, they were not made by me: but I compared them all with those records which I had access to; and I believe them to be correctly taken.

Q. Do I understand you, that you examined the whole of the records of those meetings, at the periods alluded to, or that you compared only these extracts that have been made, with the original, to see that they had been correctly transcribed?

A. That was the case with those extracts that I produced and read here. It would have been too great an undertaking, for me to have examined the whole of those volumes from which they were taken; neither did I think it necessary, as those I read here were full and clear in themselves, detached as they were.

Q. Can you undertake to say, then, that what you have here quoted, relative to the several cases alluded to, embraces *all* that those records contain on the subjects of each and every of these appointments or removals?

A. No, I cannot undertake to say any such thing. I might have produced many more similar cases; but I thought those were sufficient to show the practice of society in that day; and that making the appointment of elders for a limited period, was not a new doctrine, or new practice in the society.

Q. In the cases of Phebe Yarnall, a minister, and Hannah Carter, an elder, cited by you, did not the minutes of the meeting contain some reasons *why* those persons had been displaced?

A. No. I could not find any reasons stated on the minutes, previous to their being so displaced, although I made considerable search for it. I

suppose there must have been some reasons; but what they were I don't know.

Q. Was that the only minute of removal you found, without assigning reasons?

A. I think it was the only minute I found respecting a minister, that I can recollect, however.

Q. Was that the only instance of a minute respecting an elder being removed, without reasons assigned, excepting in those cases stated by you, in which they had been appointed for a specific time, at the expiration of which others had been named in their stead?

A. My memory won't serve me; but it seems to me there were one or two other cases, somewhat similar, of elders. I did not read all the cases that I had stated on that paper yesterday.

Q. Can the witness refer me to any case of that kind since the year 1750, until at or about the period of the separation in the society?

A. I don't know that I have any historical knowledge of any case of an elder, of that kind. I have not examined the records of any Monthly Meeting, including all that period.

Q. Was the discipline respecting the appointment of elders, which you state to have been adopted early in the last century, the same as that under which the society had acted for many years before the separation?

A. I cannot say, as I have not that discipline to refer to, which was first made respecting the appointment of elders; but I expect it was not exactly what is now contained in the last revision of the discipline, in the year 1806.

Q. Does that discipline, then revised and established by the Yearly Meeting in Philadelphia, contain any provision for the appointment of ministers and elders, periodically, or for any limited time?

A. The discipline itself is the best evidence in the case. I think it don't mention that they should be appointed for a limited time, neither does it mention that they should be appointed for life.

Q. Did not your party acknowledge that the society, under that discipline, had never understood that there was any limitation affixed to these appointments, when they brought before the Yearly Meeting the propositions for a change in the discipline on this subject, and have assigned the omission of the Yearly Meeting so to do, as one of the causes of the separation in the society?

A. Our society had acknowledged the discipline as it then stood. And although they believed the power was vested in the Monthly Meeting to displace, when their services had become burdensome, yet they believed that such a change in the discipline as would oblige Monthly Meetings to consider the standing of the elders at limited periods, would be salutary: and therefore they brought the subject forward to the Yearly Meeting, from one or more of the Quarters. As to the latter part of the question, I have before stated, that the Yearly Meeting not being in a qualified state to act upon the subject, was one of the grievances complained of.

Q. Have you not changed the provisions of the discipline, since the separation, on that subject?

A. Yes, we have altered that rule of discipline, so as to make those appointments periodical; and our Orthodox Friends, in their meeting

Arch street, have also altered that rule of discipline, as I have their extracts.

in relation to periodical appointments?

No, it is not in relation to periodical appointments, but to give the Monthly Meeting of ministers and elders, in some way, control over appointments, I think; in order to take the power of the choice out of the hands of the Monthly Meetings, without the Quarterly Meeting of ministers and elders' consent.

Have you ever known an instance, in which a minister was dismissed from his station by a Monthly Meeting, except for a breach of the discipline?

I don't know that I have; except there was some violation of the discipline, in some way or other, which was the ground of dissatisfaction.

You have spoken of denunciations uttered against those you call heretics—did the speakers apply their remarks personally, or were they general expressions of sentiments of infidelity and deism, which, in the apprehension of the speaker, were prevailing in the society?

I don't know that I have been present on such occasions, where I have gone so far as to mention names: but I have understood, it has frequently been done, and in some instances, there has been public opposition made, as I have before stated: and in a great many instances, on my hearing, it has been so applied, that every person of common understanding, hearing it, must know to whom it was applied; and they are very liberal in dealing out their charges of deism, and infidelity, against the scriptures, &c. on a large portion of the Society of Friends; but it would afford any edification, or is desirable by the counsel or his

I can furnish them with another specimen of Ann Jones's denunciation, which was delivered in New York.

When you say that ministers have frequently made use of names, have been informed, do you mean, that you have been informed they have done so in their public testimonies?

Yes, I meant to be understood so. I have been informed so.

Will you state the instances, when, and where, and by whom?

I cannot pretend to undertake to state all the instances that I have heard of. I was too fast in answering a former question, when I said, I had been present when names were mentioned; for I now recollect that I was present at a meeting, when Elisha Bates had openly denounced a minister, by name, Elias Hicks; also Amos Peasley;—and Anna Braithwaite in the same meeting had openly attacked Elias Hicks;—and I heard of a number of instances where such attacks were made in the western country, on Elias Hicks, Amos, Elisha Dawson, and I think some others. And I have heard of Jeremiah Hubbard, and, I think, Charles Osborn, and some others, I can't pretend to name, making declarations of this kind in their public testimonies; a number of which I mentioned in my former testimony of public opposition to heresies in Philadelphia.

Was the attack, as you have designated it, made by Elisha Bates, Anna Braithwaite, upon Elias Hicks and Amos Peasley, an attack upon their personal characters, or upon unsound doctrines, which it alleged they had publicly taught?

It was not on their personal characters; they pretended, to be sure,

the imputation of unsound doctrine, but the body of the people would not believe that their doctrines were unsound.

Q. Will you state, as nearly as you can, what was said by Elisha Bates and Anna Braithwaite on that occasion, which you have styled denunciations of the individuals alluded to?

A. No; I can't undertake to state from my memory what they did say. It is all in print and before the public, and I must refer you to that; not what Anna Braithwaite said, as that is not published; but what Elisha Bates said.

Q. Will the witness state the time and what print he alludes to?

A. The time it occurred, was at the Yearly Meeting held in Ohio, in 1828, in the beginning of Ninth-month. There will be one account found of it, in what is called "The Friend," published a week or two after the Yearly Meeting—first volume, I believe. There may be another account found in the "Friend and Advocate of Truth," soon after that period spoken of, with my own name to it; and also the account of Marcus T. C. Gould, who was present at the time, and recorded, in short-hand, what was delivered by Elisha Bates, and has given it to the world, under his own signature; as also the testimony of Elias Hicks, which was delivered in that meeting, and whose account is also to be found, published in one of the volumes of "The Quaker," exhibited in evidence in this cause.

Q. Did not Elisha Bates at that time read from printed discourses and letters alleged to have been written and delivered by Elias Hicks, the sentiments alleged by him to be unsound, and call upon Elias Hicks to say, whether he had or had not uttered or written such sentiments, or quote from memory the sentiments of which he spoke?

A. I think he had not any paper in his hand; nor did he read any thing in that meeting that I recollect. I believe he did make some reference to some of Elias's communications that were in print: but I cannot remember what they were; but I thought then, he made a very bungling hand of it; and, I think, he did not call on Elias Hicks to refute the charges: for, before the meeting closed, Elias rose on his feet with a view of making some remarks, and probably in reference to the charges made against him, though I do not know what he was going to say, but he was immediately interrupted, I think, by Elisha Bates himself, and some others of his party; and they immediately attempted to break up the meeting;—Anna Braithwaite and Thomas Shilletoe, I think, (another Englishman) shaking hands, which threw the meeting into some confusion; so that Elias did not proceed in what he had to say, more than to express a sentence or two. Elisha Bates spoke in a very loud and authoritative voice, commanding the people to disperse: Elias still standing on his feet. The people, however, did not seem inclined to go out of the house, though many were on their feet, while Elias was standing; and being near him, I stepped to him and told him, that the people would not go out while they saw him standing there; and he said, we had better then move toward the door, which he did, and the meeting immediately began to disperse.

Q. Had not those whose duty it was to adjourn the meeting, shaken hands in the usual way of adjournment, before Elias rose from his seat?

A. No, I think they had not; there had not any body shaken hands until Elias was on his feet; and having my eye along the gallery, I saw,

think, when they made the first move to break up the meeting after Elias had rose, and perhaps had uttered a sentence or two.

Q. Had Elias borne testimony in that meeting?

A. Yes, he had; and I thought it had spread a solemn weight over the meeting.

Q. Did not Elisha Bates inform the meeting at that time, that he had the day before received information or a communication from Elias's friends at home, expressive of their desire that he should return?

A. Yes; I think he gave them some information of that kind; which was imposing upon the meeting a very erroneous account of the situation in which Elias stood with his friends at home, when a few Friends of the Monthly Meeting of Jericho which Elias belonged to, consisting of about nine Orthodox, including all ages and sexes, had seceded from the Monthly Meeting of Jericho, made up of two hundred and eleven Friends, and had united themselves to a small number of Westbury Monthly Meeting, consisting of thirty-nine individuals of all ages and sexes, who had also seceded from the Monthly Meeting of Westbury, composed of three hundred and forty-one friends. These two fragments of those Monthly Meetings, after Elias Hicks had received certificates of his own Monthly and Quarterly Meetings, and proceeded on his western journey in the order of society; these few Orthodox Friends having united together, had formed a meeting, which, I think, they called Westbury and Jericho Monthly Meeting, such a meeting as was not in existence previous to Elias proceeding on his journey; they had got up something of that nature and sent after Elias Hicks, which Elisha Bates had got hold of, and endeavoured to impose upon the meeting at Ohio, as the act of the Monthly Meeting of which Elias Hicks was a member. But as this is already before the public in print, I have no wish that these notes should be swelled further in detailing the circumstances that occurred there.

Q. Does the statement of numbers contained in your last answer, come from your own knowledge?

A. No. I have never counted them myself. But I had it from a Friend of those Monthly Meetings, that I had full confidence in: and also from an official statement made by those Monthly Meetings to the Meeting for Sufferings in New York. In Jericho Monthly Meeting there were three neutrals; which way they have gone since, I cannot say.

Q. Can the witness state in substance, any of the personal attacks which he has spoken of, by others than Elisha Bates and Anna Braithwaite, and which in his testimony he includes under the general denomination of abundance of denunciations on the Society of Friends?

A. I don't think I can remember any particular instances more than I have mentioned. I have heard of a great deal more than I ever wished to remember. I now recollect Elisha Dawson, who was a valuable minister, taken by the coat tail and pulled down while he was speaking, in the state of Ohio, and I think by a minister; and also of a woman Friend who was travelling in that country about the same time, and who was frequently interrupted, and I think she told me, was in some instances pulled down while she was speaking by those called the Orthodox party. And this I think was before the separation took place, in the Yearly Meeting held in Ohio.

Q. Is that the substance of the denunciations alluded to?

A. I cannot tell—I did not hear—but I only speak of the extracts of those communications as they were represented to me.

Q. In speaking of the misrepresentations that have been made by those whom you call Orthodox, of the views and sentiments of Elias Hicks, you gave a quotation from a sermon preached by him at Darby, I think, in which he says, "that there is not a greater falsehood circulated among mankind, than the assertion, that he undervalues the scriptures," &c.: do you give that quotation as the general sentiments of Elias Hicks, on the subject of the scriptures of truth, or has he not on a variety of occasions, uttered and written sentiments *directly the reverse* of those contained in that quotation, especially in his letter to Phoebe Willis, (Exhibit, No. 15,) where he says, "I have been led, I trust, carefully and candidly to investigate the effects produced by the book called the scriptures, since it has borne that appellation; and it appears from a comparative view to have been the cause of four-fold more harm than good to christendom, since the apostles' days, which I think must be indubitably plain to every faithful, honest mind, that investigated her history, free from the undue bias of tradition and education." And again, "I well remember how often my conscience has smote me, when I have been endeavouring to support the society's belief of the scriptures, that they so far exceed all other writings." And when he says in a sermon preached at Stanton, Delaware, Eleventh-month 20th, 1826, in alluding to the scriptures, "There is great danger of being wrongly directed by them, and it is fatal often times." And in a sermon preached at Darby, Twelfth-month 7th, 1826, on the same subject, "You know there are a great many things held up by the professors of religion, which are entirely non-essential in relation to our salvation, and these are all stumbling-blocks; and perhaps there is not a greater one, than the scriptures called the Bible, or the Old and New Testaments, bound up in a book." And again, in a sermon preached at Trenton, Twelfth-month 21st, 1826, where he says, "It is of great importance that we understand the scriptures rightly, for if we do not, they will do us a world of harm, for they are the greatest engine to do us hurt of any in the world: the children of men place so much confidence and faith in them;" which sermons were published in the "Quaker," exhibited in this cause?

A. I suppose the counsel and his clients have got their object answered by placing those extracts on the record, which may be mutilated for any thing I know; and therefore they will be satisfied with a short answer, which I shall give to the question. The short extract which I quoted I gave as the sentiments of Elias Hicks in that meeting; and there was considerably more in the same testimony on that subject, which I did not quote. So far as I have known Elias Hicks, respecting his sentiments respecting the scriptures, he has highly spoken of them, as one of the best of books; and whatever passages they may have culled out of some of his testimonies that are in print, which may have some apparent appearance of a contradiction to the paragraph I quoted, he must mean the *abuse* of the scriptures, and the *wrong use* that is made of them, by many of the professors of christianity—and not the scriptures themselves as a book. And therefore, as these testimonies are made an exhibit in this examination, I would refer the counsel and the readers to examine those communications carefully for themselves.

Q. As you have removed the objections which you opposed in your first cross-examination, against inquiring into the history of a partic-

meeting, or of individual cases, by introducing the particular case Benjamin Webb, in the Wilmington Monthly Meeting, I will resume examination on that subject, which was before waived by me. Was a case of Benjamin Webb, the case of difficulty which was brought up on the Wilmington Monthly to your late Quarterly Meeting at Concord, and in which you were appointed on a committee to investigate the subject and give your advice?

A. I have not removed my objections to going into the private concerns of any meetings of discipline; which objection I ought to have made last winter, when a question was first put to me on that subject, as it having any thing to do with this cause, or of that nature, under which I was under any obligation to answer. But as the name was then introduced, and some insinuations given by the questions that were then put to me, that the society was countenancing some erroneous principles, which they supposed, held by him, in the connexion he had with the paper called the "Delaware Free Press," it seemed necessary on my re-examination in chief, to state that he was under the care of the Monthly Meeting of Wilmington for the part he had taken in that paper. And I am willing, without going into particulars, which I don't design to do, to answer the question last put, and to state that it was the case; and the only case, with the circumstances connected with it, for which the Monthly Meeting of Wilmington asked the advice of the Quarterly Meeting; and for which purpose a committee was appointed as I have before stated, and gave their advice to Wilmington Monthly Meeting accordingly; and that advice was in favour of the Monthly Meeting, supporting its testimony against the conduct of the individual, if he cannot be convinced of his error and reclaimed.

Adjourned until to-morrow morning, at 10 o'clock.

Saturday morning, March 12th, 1831, at 10 o'clock. Further cross-examination of Halliday Jackson, continued. Present the same as yesterday.

Question by Mr. *Sloan*. I think you stated in your former cross-examination, that you did not attend a Monthly Meeting at Wilmington, alluded to in my question, during your appointment as a committee; am I to understand that whilst on that committee, you did not attend the Wilmington Monthly Meeting at all?

Answer. I did not attend it that month, that was alluded to: but I had attended it the month previous, as I then stated.

Q. At the time that you did attend that Monthly Meeting, was it agreed to take this case forward to the Quarterly Meeting, by applying to them for assistance, in a case of difficulty?

A. That's all fully answered before; but I must again renew my protest.

Mr. *Sloan*. Where was it answered.

Witness. In my former cross-examination.

Mr. *Sloan*. The question I now put is, were you present at any Monthly Meeting, in Wilmington, in which the case of Benjamin Webb, of which you have voluntarily spoken, in answer to a question by the opposite counsel, was before that meeting?

A. I will again renew my protest against the right of the counsel in this examination, to inquire into the private concerns of any of our Monthly Meetings, since they have been held separate and distinct from

those called the Orthodox party, as being irrelevant in this cause, and against the propriety of any witness disclosing those private concerns which have no relation to the cause; and which, I apprehend, according to the qualification I have taken, I am not bound to disclose. And as that has already been disclosed respecting the case of Benjamin Webb, has arisen from the inquiries that were made when I was first under cross-examination, in Twelfth-month last; and which, for want of due consideration at the time, I did not then enter a protest against. Nevertheless, as I think, I have already answered this question, twice over, in one instance that the difficulty did occur in the Monthly Meeting, for which they asked the advice of the Quarter; and in the second place, yesterday, I stated, that that was the only case of difficulty for which that advice was afforded by the Quarter. And I now add, that I was present at the Monthly Meeting, when it was agreed to ask such advice, and more than this, they have no right to know.

Q. The witness will understand me distinctly as inquiring of the proceedings of the Monthly Meeting, in which he himself has stated that a difficulty existed; for the advice and assistance of which, he has himself stated that a committee had been appointed; and the advice of which committee, he has himself stated here, unasked for, notwithstanding his objection in answer to a former question of mine, that that committee had not reported to the Monthly Meeting, and that, therefore, it was private; and in asking questions relative to the case of Benjamin Webb, he will understand me as meaning the same Benjamin Webb, which he himself in his re-examination in chief has stated to have been under the care of that Monthly Meeting for the part which he had taken in the "Delaware Free Press," and towards whom you have stated the advice of the committee to the Monthly Meeting, to have been, "to support its testimony against the conduct of the individual if he could not be convinced of his errors, and reclaimed," in order that we may fully understand the nature of that charge preferred against the individual named, and the difficulty stated: and not as intending to pursue this cross-examination into the history of the proceedings of any meeting, or any individual, not introduced by the witness himself. With this explanation, I will ask what was the nature of the difficulty which existed in the case of Benjamin Webb?

A. I think the counsel himself has confirmed my protest, in the explanation he has attempted to give; for I could not go into an explanation of the difficulty in the case of Benjamin Webb, without disclosing the private concerns of that Monthly Meeting, and in some way, directly or indirectly, implicating other individuals, which it would be entirely improper to disclose here. And I therefore renew my protest against the right of the counsel and his prompters, to any further inquiry in that case; as having no relation to the issue of the cause now pending, under this examination.

Q. If the witness will confine himself within the proper sphere of witness, and either answer my questions, or simply decline doing so, without those remarks which more properly would come from a judge or a party, I would be much indebted to him, and it would abridge our labours. Did not that difficulty arise from the great objection made in that Monthly Meeting to the proceedings against Benjamin Webb, and was it not for that reason that it was carried up to the Quarterly Meeting?

A. I am willing to improve by the counsel's advice, and give it its due weight; as it regards the duty of a witness, as I have not understood there is any controlling power in this examination, to say how far a witness shall go; the witness must therefore be the judge in his own case, with regard to the testimony he gives under his solemn affirmation, as connected with the cause at issue, without being implicated as a party—man or an advocate in the cause. I therefore wish my former reply to the counsel to be considered as an answer to his last question. If the master has any directions or instructions to give me in the case, I am very willing to hear them.

Q. Do you refuse to answer the question?

Witness. I wish the master's opinion in the case.

The Examiner instructed the witness, that it was his duty, under his affirmation, to answer all proper questions. I cannot direct the form of interrogatories for the counsel; they are responsible for that matter.

Witness. I am willing to answer all proper questions that have any relation to the cause at issue. And my inquiry of the master was, to know whether it was proper to disclose the private concerns of our meetings of discipline. I wish to hear that last question again.

The question is read to the witness respecting the nature of the difficulty, when he further answers: I stated in a former answer, when we were on this subject, that in general terms, I was willing to give some account of the difficulty, without going into particulars of the private concerns of the meeting; and I have also stated before, that the case of Benjamin Webb, was the case of difficulty; and the very nature of a difficulty in a Monthly Meeting, implies that there is a division of sentiment, which was the case in this particular circumstance. Otherwise, they would have been under no necessity of asking advice of the Quarterly Meeting.

Q. Did not Benjamin Webb, and those who were opposed to the proceedings against him, insist, that the proceedings against him were in opposition to the sentiments of the majority of that meeting, and was it not in consequence of their persisting in this, that it was concluded to apply to the Quarterly Meeting?

A. That is going on the very ground that I have repeatedly objected to, of entering into particulars, and I wish my objections to be revived, and kept in view; nevertheless, as the counsel and myself have got along with so much good humour, and are now drawing near the close, I hope I am willing to satisfy his curiosity, as it regards this question. Benjamin Webb, I believe, and perhaps one or two more of those he considered his friends, did pretend to contend that there was a majority opposed to his case being entered on the minutes of the Monthly Meeting—but I myself being present, I was satisfied that was not the case; but that there was a considerable majority in favour of recording it on the minutes, which was accordingly done. But in consequence of the disunity that appeared in the meeting, and Benjamin Webb being then strenuously advocating his own cause, which was rather an unusual thing in society, though it was allowable by discipline, that he should be present until his case was entered on the minutes of the Monthly Meeting—and in consequence of this want of unity in sentiment, the meeting concluded to ask the advice of the Quarterly Meeting, in a case of difficulty, as I have before stated.

Q. Did not those, who were in favour of entering his case on the minutes, insist, that the question of majorities had nothing to do with it, or object to any settlement of the question by numerical strength?

A. That is again going off the track into individual sentiments; but I think there were some sentiments of that kind offered by Benjamin Webb, and a few others of those he considered his friends. He and his friends objected to settling it by majorities. There were no objections to settling it in that way, on the other side; it was all on the side of Benjamin Webb and his friends. And so far they insisted upon the same principle that the Orthodox did, in deciding who should be the clerk of the Yearly Meeting in 1827; though, I suppose, they will hardly be willing as yet to be called Orthodox.

Q. Do I understand that those who were in favour of entering the case, did propose or offer to settle it by majorities?

A. No—I don't recollect any proposal of that kind being made by Friends on that side of the question.

Q. About how many persons were present at that meeting during the discussion?

A. I did not at all undertake to count them, but it was quite a full, large Monthly Meeting, rather larger than usual; and a large number of those, or a considerable number who appeared to be defending the cause of Benjamin Webb, I was informed by a number of Friends in Wilmington, were seldom or ever seen at a meeting for discipline, except when the case of Benjamin Webb was before it, though they were strangers to me generally; that class that I allude to, from their appearance, they appeared to be such, as I suppose our Orthodox Friends would hardly consider the *solid* and *weighty* part of society; divers of them being quite young men, with their lapelle coats on, and such as are copying after the vain and fashionable customs of the world, too sorrowfully apparent in the present day, in many of the younger class of society.

Q. You have given what you suppose would have been the estimate of your Orthodox Friends, as you call them; how did they stand, as to *solidity* and *weight*, in your estimation, in the meeting for discipline: or do you make any distinctions?

A. There was a number that spoke on the occasion of the class that I have described, that certainly would not carry so much *weight* in my estimation, as an equal number of those that spoke on the other side.

Q. Did all who were present speak to the case?

A. No. I think there were a great many in the meeting who did not speak.

Q. How did you judge of the majority—by the voices of those who took part in the debate?

A. Yes. It appeared to me that there were a considerable majority; and the clerk, as is usual on such occasions, made a minute, with the conviction that it was the prevailing sense of the meeting.

Q. After the minute was made by the clerk, did those who had opposed the entry of the minute, assent to it, and admit that it was in accordance with the prevailing sense of the meeting?

A. No, I think they did not admit that to be the case—some few that spoke: though I was satisfied in my own mind, that it was the prevailing sense of the meeting; not only from the numbers that spoke, but from the weight of sentiments that were offered. And one of them. (B. Webb's friends,) I think, remarked, that now the case was entered

on the minutes, he had no right to sit longer. Benjamin, however, continued, and did not leave the meeting.

Q. Cannot you give me some idea of the whole number of persons present, from your general knowledge of the meeting, and the number that attend it, from your observations on that day?

A. Well, it will be merely guess-work; I have never heard the number mentioned. I should rather suppose, that from the appearance there might be 150 or more—there might be a larger number or fewer; I cannot undertake to say.

Q. Of that number, how many would you say spoke to this subject?

A. I wont undertake to say.

Q. Fifty?

A. I can come at no certainty about it, and I think it best not to name any number; for I did not count them: further than I think, as far as I can recollect, of those that seemed disposed to oppose the views of the Monthly Meeting in the case, I could recognise about twelve or fourteen, perhaps. I will not undertake to say that was exactly the number. I think there was a much larger number on the other side; but I wont undertake to say how many, as I did not make any count of them.

Q. You have spoken, I think, on several occasions, of clerks of the meetings being known to be in favour of one or the other side of a question,—was it not well understood that the clerk of that meeting was in favour of entering the case upon the minutes?

A. I don't remember whether he expressed his own private judgment in the case, or not. He is a very impartial and valuable man, and I havn't the least doubt, but he took what he believed, conscientiously believed, to be the prevailing sense of the meeting.

Q. Was he not one of the overseers who brought the case before the Preparative Meeting?

A. I believe he was so.

Q. You have said in your re-examination, that since the adjournment in December, you have discovered that Benjamin Webb was then under the care of his Monthly Meeting, for the *part* he had taken in the "Delaware Free Press,"—what *part* had he taken in that paper, which brought him under the notice of the meeting?

A. He was concerned as an editor in it; and I think he had published, under his own signature, something in it, very much misrepresenting the transactions of Wilmington Monthly Meeting, on a certain occasion. But this, I must say again, is unreasonable and unjust, in descending into particulars of this nature: and so I trust it will be viewed by a discerning public, and estimated accordingly.

Q. I have no wish to inquire into the particular transactions alluded to; I wish merely to know whether *that* was the only charge preferred against him, I mean the misstatements of some proceedings in the meeting, and whether it was for that cause *only* that he was brought under the care of the meeting?

A. I admire how the counsel can say that he has no wish to go into particulars, when every question he puts is calculated for that purpose: I have stated before, that it was for the part he took in the editorship and circulation of that paper; and that *that* was one of the subjects contained in that paper.

Q. In the charge brought against him by the meeting, for the *part* which he had taken, as editor of that paper, was any complaint con-

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tried against him, as such editor, for any other cause than the statements made by him relative to the proceedings of that Monthly Meeting?

A. Yes, there were some other things mentioned.

Q. Is the original charge?

A. Yes. What is meant by the original charge?

Counsel. I mean the complaint which was preferred by the overseer to the Preparative Meeting, and brought up of course to the Monthly Meeting.

A. I believe all the complaint that was brought forward to the Monthly Meeting, was contained in the original charge, so far as I have understood. I was not at the Preparative Meeting.

Q. What were the *other things* mentioned in that charge?

A. I have not a copy of the charge here—I cannot remember the exact terms of it: but I believe that paper (Del. Free Press) contained sentiments which Friends could have no unity with, and for which the editor was in part responsible; and therefore they considered him accountable to the Monthly Meeting for the agency he had taken in it.

Q. What were those sentiments that you could have no unity with?

A. I know so little about that paper, that I must refer the counsel to it himself; as I never saw one of them in my life, till after the Monthly Meeting, when the complaint was brought forward, when I found one in the Post Office at Darby, directed to me; by whom I know not; but probably by Benjamin Webb himself. I did not read it all, but I saw some things in it I could have no unity with, nor with any Friend concerned in it; ridiculing the apostle Paul, celebrating the birthday of Tom Paine, and some other things of that nature that I can't remember, and should be very sorry to spend my time in reading; and I suppose they were pretty much of that character, from what I afterwards learned. Many pieces admitted into it, as it was termed a "Free Press," calling in question the divinity of Christ, making a ridicule of miracles, undervaluing or laying waste the scriptures, probably, in some instances, I can't say how far it went in admitting pieces that went to advocate the principles and views said to be promulgated by Frances Wright, and Robert Dale Owen, and those kind of sentiments that were calculated to lay waste the christian religion, which Friends as a society, could have no unity with: although there might be individuals, I trust the number was not very large, who might countenance such a paper by reading it, and so far encouraging its continuance. These are my general views of it; and I will not descend further into particulars, for I have never read but the one paper, and that was sent to me. I have gathered my information from some other Friends, and from hearing some other parts of those papers read on these subjects.

Q. You speak of that paper calling in question the "divinity of Christ:" can you refer me to any number of it, or parts of any number, in which sentiments on that subject are to be found more expressive of doubt than this, to be found in the "Berean," a work heretofore alluded to by you, where the author, in speaking of our Saviour, says, "in what manner, then, or by what means, was he made more than man?—Lamented by the same means, and in the same manner that every other undefiled man is raised above the mere human character." [vol. ii. p. 258.] And again, "Will it be presumed that God, or heaven of heavens cannot contain whose presence fills the whole?"

ode in his fulness, literally in the man Jesus; can it be supposed that e, of whom it is declared that he was limited in knowledge, power and ction, possessed absolutely the spirit of God, without measure?" [Ib. 59.] And a variety of other sentiments of a similar character, in the ame book, such as the following: "The doctrine, therefore, contained a the chapter under review, ascribing a proper divinity to Jesus Christ, aking him the foundation of every christian doctrine, asserting that he divine nature essentially belonged to him, and constituting him a distinct object of faith and worship, is not only anti-scriptural, but op- posed to the simplest principles of reason; and is, in short, among the latest doctrines that has ever been introduced into the christian church." [Ib. 259.] Or than may be found in the following sentiments in the 4th vol. of the "Quaker," page 65. viz: "Do the professors of christianity think that that Jesus born of the Virgin Mary, is the only Son of God that can give us a knowledge of the Father? they must be dark indeed: we can do nothing for any of us." And which is defended in the "Friend, or Advocate of Truth," another work referred to by you, 4th vol. page 15, &c. or the following: "But I do not consider that the crucifixion of the outward body of the flesh and blood of Jesus on the cross, was an atonement for any sins but the legal sins of the Jews;" contained in Elias Hicks' letter to Doctor Shoemaker, which is accorded in, in the following manner, in the 2nd vol. of the "Berean," page 52. "Whatever redemption, therefore, was effected by the outward flesh and blood of Christ, it could not, in the nature of things, be any thing else than an outward redemption." And without burthening the record with transcribing any more quotations on this subject, I will refer you to the sentiments of Elias Hicks, as contained in his printed discourses, which are made exhibits in this cause. And on the other branch of your answer relative to the scriptures, I will refer myself to the quotations made by me yesterday, and to a few extracts from the "Berean," which are as follows, viz: "Nothing is easier than to appeal to scripture, for great names for the authority of a dogma or an opinion, but nothing is at the same time more vain and futile." [Vol. ii. p. 209.] And again, "The author refers to the scriptures as to a *divine revelation*; there cannot, perhaps, be a greater abuse of terms than this; never was counsel more darkened by words without knowledge." [Ib. 212.] And in his conclusion of his subject in the following words: "It is in vain then that we are referred to the scriptures as to an acknowledged authority, to determine conflicting opinions." [Ib. 401.] Or in these words, "The revelations respecting the nature of God, which were made to the Israelites, are true, when viewed as in connexion with, and having relation to, their spiritual condition; but to any other state they are not true; therefore, such revelations abstractedly taken, are not true in themselves; are not the truth of God?" [Berean, vol. i. p. 403.]

A. In my general view that I gave of the nature of the subjects contained in the "Delaware Free Press," so far as I had understood them, was in order to satisfy the counsel, that the part which Benjamin Webb had taken in that paper was the matter upon which the complaint against him was founded. I have several times renewed my protest against either his right to inquire, or myself under any obligations to answer, in matters relating to the private concerns of that Monthly Meeting. But as in the latter question, and in the long string of quota-

Gons, &c., that he (however mutilated they may be) has got recorded on those minutes, he seems now to have taken a new ground; that of requiring opinions about doctrines, and matters of a spiritual nature, which has heretofore been protested against by a witness, who preceded me in this examination, and also by myself, in some instances, as being out of the jurisdiction of any court in the United States, or any commission acting under it, to inquire into matters of a spiritual nature, or opinions about doctrines. I therefore *once more* enter my solemn protest against going further into any examination on this point; believing myself not required, or under any obligations, by the qualification I have taken, to do so. And I had an assurance from the former counsel, by whom I was cross-examined, that no questions would be put requiring an opinion on these subjects. And, therefore, I shall decline answering any question tending to that point; and as I suppose the end and design is answered, by getting those long quotations placed upon the record, I shall hope not longer to be burdened with such questions, and this examination protracted, whereby I am kept week after week from my family, and motherless children.

Q. In the charge brought by the overseers against Benjamin Webb, and upon which you as a committee from the Quarterly Meeting, gave the advice of which you this morning spoke, was Benjamin Webb charged with, and called upon, to answer for, any unsound doctrines, doctrinal, or anti-christian sentiments, published, avowed, or advocated in that paper?

A. I have told you before that the charge was founded against him, for the part he had taken in that paper. But as my protest is disregarded, and a question of doctrine is again put, I must say again, that I am not bound to answer, and *will not answer* a question put, of that nature.

Q. You observed in a former answer, that there were certain sentiments contained in the paper alluded to, which neither you nor the society of which you are a member, could unite with. Were any of those objectionable sentiments specified in the charge against Benjamin Webb?

A. There were no sentiments, I think, specified in the charge. But the sentiments and views that were held up in that paper, were in part what the charge was founded upon. They were not specified in the charge.

The counsel for Joseph Hendrickson rest the further cross-examination of Halliday Jackson; and his testimony upon his said further cross-examination was read over to him: when he adds,

I will in short say, that on hearing my testimony all read over, and duly reflecting upon it, I feel perfectly satisfied with every part of it, so far as the evidence I have given as to the matters of fact that have come within my own knowledge; and as to those matters that have been related from common repute, or what is called hearsay testimony, I have, at least, believed them to be the truth; and I am now perfectly easy, that this testimony should go to the world, as, in my apprehension, as far as it goes, a just development of the causes that have operated, and which have produced the late schism in the Society of Friends; and further this affirmant saith not.

HALLIDAY JACKSON.

Affirmed as aforesaid, and subscribed at the house of William Ridge-

ay, in Camden, in the county of Gloucester, this twelfth day of March, the year of our Lord one thousand eight hundred and thirty-one.

Before me,

J. J. FOSTER,

Master and Examiner.

Adjourned until Tuesday, 15th March next, at ten o'clock, A. M.

Tuesday morning, March 15th, 1831, ten o'clock. Examination continued. Present the same as on Saturday, except Mr. *Sloan*, whose place is supplied by Mr. *Brown*, of counsel with Joseph Hendrickson.

CHARLES STOKES, a witness produced on the part of the complainant and Stacy Decow, alleging himself to be conscientiously scrupulous of taking an oath, and being duly affirmed according to law, on his solemn affirmation declareth and saith, viz.

Question by Mr. *Price*. What is your age, and where your residence?

A. I am between thirty-nine and forty years of age; my residence is in the township of Willingborough, county of Burlington, and State of New Jersey.

Q. Are you a member of the Society of Friends, and how long have you been so?

A. I am a member of the religious Society of Friends, and have been from my birth.

Q. Did you attend the Burlington Quarterly Meeting at the time a separation took place from it; and if so, state how it took place?

A. I attended the Burlington Quarterly Meeting in Eleventh-month, 1827; which is the meeting, I suppose, alluded to in the question. At that meeting a separation did take place. The meeting, I think, opened as is usual, by the calling of the representatives; soon after which, it was stated by some person in the meeting, that he apprehended there was one or more persons present, who were either under dealing, or stood disowned; and that as it was not customary for Friends to proceed in the business of a meeting when such persons were present, he requested that such persons should withdraw from the meeting. This request to withdraw, I think, was repeated by some other Friends; no person, however, was named as being in that condition. Another Friend, I think Jediah Middleton by name, also requested, that if there were any such present, that it was his wish that they should withdraw; for his part, he knew of none such being present; but if those who were members of *Green street* Monthly Meeting, were the persons alluded to, inasmuch as he believed that they were not in the situation mentioned, he was willing that they should remain in the meeting; and further, I think, stated, that if any Friend knew of any person being present, who had no right to a seat, according to the discipline, it would be proper to name him. No name, however, I think, was given. But there was, perhaps, a sentiment expressed, that members of *Green street* Monthly Meeting, whom the meeting for the northern district, Philadelphia, had under dealing, had no right to a seat in the meeting. This opinion was, however, controverted, on the ground that it would be very improper for Burlington Quarterly Meeting so far to countenance proceedings which had grown out of an unlawful combination of the elders and certain other persons, in the city of Philadelphia, who were seeking to violate the rights of Monthly Meetings, and jeopardize the rights of members, especially of those members and of that Monthly Meeting, who had stood in the contest against those encroachments and infringe-

ments of those rights, which they apprehended would be the case, by requesting the members of Green street Monthly Meeting to withdraw. Soon after this, I think, a proposition was made to adjourn the Quarterly Meeting, by some of that part of it which is now called Orthodox. This was objected to, and at the same time it was observed, that if any Friends felt themselves not at liberty to continue, that they would best liberty to withdraw; but Burlington Quarterly Meeting would continue to do the business of the Quarter; upon which, a Friend, high in the confidence of the Quarterly Meeting, made a proposition to this effect; and I think, nearly in these words—(I ought, perhaps, to remark, that this Friend, who made the proposition, was, and continues to be, with the Orthodox part,) he said: “Now let the question be taken, whether the Quarterly Meeting will adjourn, or whether it will continue the business of the Quarterly Meeting in its present state.” Upon which there was very considerably more expression, according to my recollection and impression, in favour of continuing the business of the Quarterly Meeting, than to adjourn it. This decision, however, not appearing agreeable to certain Friends in the Quarterly Meeting, they did not appear willing to abide by it; but still proposed that the Quarterly Meeting should adjourn, and fixed on a time and place, which was Burlington city, I think, on Sixth-day of the same week. Friends objected, that if some Friends should feel best satisfied to retire from the meeting, they were at liberty to do so; but Burlington Quarterly Meeting would not adjourn. Whereupon, I think it was stated by one who is now with the Orthodox, that it was Burlington Quarterly Meeting that was about to adjourn. Those Friends, who had thus concluded to leave the meeting, then named two of their number to go into the women’s apartment, and inform them of the conclusion which they had come to. Friends, apprehending that the women would not, by this message, get the true state of the case, and might perhaps be induced to believe that it was Burlington Quarterly Meeting that proposed adjourning, appointed two Friends to go into the women’s apartment, and inform them of the real state of the case. When those two last mentioned Friends were on their way to the women’s apartment, and had got so far as the door which enters that apartment, there were several of those who are now called the Orthodox party, objected to their going in, and alleged that the meeting ought to have confidence in the Friends who had preceded them, that they would certainly give a true account. One of the committee then appealed to the meeting, in order that they might be correctly informed, whether it was the judgment of the meeting that they should proceed, or not. The expression had, on this appeal, appeared to be such, as left no doubt upon their minds, when they accordingly went upon their errand. Soon after which, the clerk of the Quarterly Meeting, being on that side of the question called Orthodox, read a minute, purporting to be an adjournment of Burlington Quarterly Meeting, when they arose and left the Meeting; he carrying with him the papers of the meeting. Friends then appointed a clerk, and continued the business of the Quarterly Meeting.

Q. Have Friends ever since continued to hold that Quarterly Meeting?

A. They have continued to hold a Quarterly Meeting—they have continued to hold Burlington Quarterly Meeting.

Q. What proportion in number do those who continue to hold Burlington Quarterly Meeting, bear to those who separated with the clerk?

[NOON.]

A. According to my recollection of an enumeration which was made, and the statement given in the testimony, under a commission issuing out of the Supreme Court of Pennsylvania—

Mr. Price. I wish the witness to state from his own knowledge.

Witness. I mentioned that circumstance merely as going to show the grounds which I had for the opinion which I expected to express.

Mr. Price. You will please to state what you did, in conjunction with those associated with you for the same object; that is, to ascertain the relative numbers.

Witness. Andrew C. Ridgway, Jediah Middleton, Anthony Sharp, and myself, were engaged to make a statement of the number of members who were considered as having attached themselves to the Orthodox party; and also of the number who remained with Friends, within the limits of that Quarterly Meeting—

Mr. Brown. I, of course, cannot object to the witness stating what took place within his own knowledge; but I do object, and wish it distinctly noted, to his relating what was done by others, with whom he was associated, unless he was himself present and acting with them, or their acts personally known to him.

Mr. Price. I want the answer of the witness according to the facts.

Witness proceeds. According to the statement thus made, I think there were eight hundred of the former, or Orthodox party, and one thousand and forty-nine Friends.

Q. From your own observations, in attending Burlington Quarterly Meeting, since the Orthodox left it, what proportion of the former members continue to sustain it?

A. Judging from my recollection of the size, or the numbers who attended the Quarterly Meeting formerly, previous to the separation, and the numbers who have attended since that time, I think it would be safe to say, that from two-thirds to three-fourths as many attend since, as before; and sometimes I have thought that the meeting did not fall far short of being as large as I have seen it before the separation.

Q. Was the committee of which Samuel Emlen, Samuel Craft and others were members, to visit the Monthly and Preparative Meetings, appointed by Burlington Quarterly Meeting?

A. I have no recollection of any such committee having been appointed.

Q. Have you regularly attended that Quarterly Meeting since the separation?

A. I have regularly attended it.

Q. Did you attend the Yearly Meeting in Fourth-month, 1827; and if so, when a Friend was about to state to the meeting the disqualified situation of Samuel Bettle, to act as its clerk, was the meeting deprived of that communication, and in what way?

A. I attended the Yearly Meeting in Fourth-month, 1827, with the exception of part of the last sitting. At the close of the first sitting, on second-day morning, the representatives were requested to stop at the close of the sitting, to consider of a suitable person to serve the meeting as clerk, and one to assist him. On the coming together of the meeting in the afternoon, it was stated to the meeting, that the representatives had not agreed upon any person to propose as its clerk. There were different views then taken, with regard to the proper course to pursue:

ments of those rights, which they apprehended would be the case, b requesting the members of Green street Monthly Meeting to withdraw. Soon after this, I think, a proposition was made to adjourn the Quarterly Meeting, by some of that part of it which is now called Orthodox. This was objected to, and at the same time it was observed, that if any Friends felt themselves not at liberty to continue, that they would be at liberty to withdraw; but Burlington Quarterly Meeting would continue to do the business of the Quarter; upon which, a Friend, high in the confidence of the Quarterly Meeting, made a proposition to this effect, and I think, nearly in these words—(I ought, perhaps, to remark, that this Friend, who made the proposition, was, and continues to be, with the Orthodox part,) he said: “Now let the question be taken, whether the Quarterly Meeting will adjourn, or whether it will continue the business of the Quarterly Meeting in its present state.” Upon which there was very considerably more expression, according to my recollection and impression, in favour of continuing the business of the Quarterly Meeting, than to adjourn it. This decision, however, not appearing agreeable to certain Friends in the Quarterly Meeting, they did not appear willing to abide by it; but still proposed that the Quarterly Meeting should adjourn, and fixed on a time and place, which was Burlington city, I think, on Sixth-day of the same week. Friends objected, that if some Friends should feel best satisfied to retire from the meeting, they were at liberty to do so; but Burlington Quarterly Meeting would not adjourn. Whereupon, I think it was stated by one who is now with the Orthodox, that it was Burlington Quarterly Meeting that was about to adjourn. Those Friends, who had thus concluded to leave the meeting, then named two of their number to go into the women’s apartment, and inform them of the conclusion which they had come to. Friends, apprehending that the women would not, by this message, get the true state of the case, and might perhaps be induced to believe that it was Burlington Quarterly Meeting that proposed adjourning, appointed two Friends to go into the women’s apartment, and inform them of the real state of the case. When those two last mentioned Friends were on their way to the women’s apartment, and had got so far as the door which enters that apartment, there were several of those who are now called the Orthodox party, objected to their going in, and alleged that the meeting ought to have confidence in the Friends who had preceded them, that they would certainly give a true account. One of the committee then appealed to the meeting, in order that they might be correctly informed, whether it was the judgment of the meeting that they should proceed, or not. The expression had, on this appeal, appeared to be such, as left no doubt upon their minds, when they accordingly went upon their errand. Soon after which, the clerk of the Quarterly Meeting, being on that side of the question called Orthodox, read a minute, purporting to be an adjournment of Burlington Quarterly Meeting, when they arose and left the Meeting; he carrying with him the papers of the meeting. Friends then appointed a clerk, and continued the business of the Quarterly Meeting.

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ty among the members constituting it, in consequence of the separation before alluded to; in order to prevent which, the trustees of Friends who had charge of such property, principally, very early made overtures to those Friends who were among the Orthodox, and who also claimed to have the control of it. A copy of the overture I have in my pocket, and if it is thought proper I can exhibit it.

The witness producing the paper further says, this is the original agreed upon by the trustees.

The paper is now offered in evidence, on the part of the complainant, and Stacy Decow, and marked Exhibit W.—[See Appendix.]

Q. Was that overture acceded to by those to whom it was sent?

A. We never received any official information from them in regard to it. All the private information which we received, went to show that they would do nothing in the case. Although I believe some of their members thought our propositions very reasonable and just.

Q. Were you or they the majority of the meeting?

A. As regards the meeting collectively, I think there is not much difference; as regards the male members, I think the majority is on their side.

Q. Were you, or they, in possession of the school property?

A. We were in possession of the school property, with a very small exception.

Q. So far as you have had opportunity of observing, have the disownments of the Orthodox party appeared to be in the spirit of restoring love of the discipline, or with the view of arrogating the name, rights, and property of the society?

A. It is difficult to say, what might have been the feelings of our Orthodox Friends under such very extraordinary circumstances; but if we are at liberty to judge of their feelings by their conduct, and of the fruits which their *very ridiculous* proceedings produced, I should be inclined to think, there had been but very little of the spirit of restoring love; and when we take into consideration their own individual declarations about the time of their pretending thus to deal, in connexion with the known fact of their having retained several lawyers, under whose direction it was supposed that they were acting, the conclusion seems almost irresistible, that the property belonging to the society was the principal thing that they were aiming at. When I speak as I do upon the last question, I should be very sorry to be understood, as intending to include all who are in connexion with the Orthodox party. There are many men among them, with whom I am acquainted, for whose justice and liberality I have a very great regard; and whom, I am grateful, that I can still place upon the list of my Friends, and who by no means join in this crusade after property; and who also entirely disapprove of the course which their Orthodox brethren have taken in regard to it.

And being cross-examined on the part of Joseph Hendrickson, the witness further saith.

Question by Mr. Broton. Does not the discipline of the Society of Friends forbid the attendance at its meetings for discipline, of persons who are either under dealing or disowned?

A. I am not aware that the discipline goes to the extent to *forbid*; but it does contemplate that persons thus circumstanced, shall not be present at meetings for discipline.

A. As regards *natural rights*, I have never supposed that there was any distinction.

Q. As to spiritual qualification, is the meeting the only competent judge, of its presence, and of the weight of sentiments delivered?

A. That is according to my view of the subject.

Q. Is there any higher body in the society known, than a Yearly Meeting?

A. There never has been any higher authority, than that of a Yearly Meeting.

Q. Does it make its own discipline, govern its own proceedings, and is it the final tribunal of appeal in the society?

A. Those questions I may answer in the affirmative.

Q. Are Yearly Meetings, for all disciplinary purposes, independent bodies?

A. Such has always been my opinion. I might add, as a proof that I am correct in that opinion, I think, when new Yearly Meetings have been established, no *assent* has been required, except of the members immediately concerned. An attempt was made within my recollection (at the precise time I do not now remember,) to establish something in the character of a federal head, to the Yearly Meetings, on this continent: but it was not agreed to; leaving, as I apprehend, the respective Yearly Meetings in the possession of their independence.

Q. When the other Yearly Meetings commence a correspondence with a new Yearly Meeting, if it is an acknowledgment of any thing, would it be of its independence as a body, or of its dependence?

A. From what knowledge I have of the epistolary correspondence that has been carried on between the different Yearly Meetings, as far as the question of dependence or independence is involved, it goes most fully to recognise the latter.

Q. So far as you have observed, have Friends, since separation, been willing to settle the difference in regard to property, with their opponents, according to the ancient, just, and gospel order of Friends?

A. I am not aware of a single exception among Friends. In many, if not in most cases, overtures have been made, having for their object such an adjustment.

Q. In your particular meeting, have you done so; and if so, can you exhibit here the nature of it?

A. In the Monthly Meeting, of which I am a member, an overture of the character mentioned has been made, but not apprehending that it would be wanted on this examination, I did not bring it with me, but I can either produce it at another time, or can give its character from recollection. In the Preparative Meeting, of which I am a member, previously to the separation of our Orthodox Friends, and when we were in Preparative Meeting capacity together, and it appearing likely that difficulties would increase upon us, a proposition was made, and tendered, that a committee should be appointed to take the state of that meeting into consideration, and see if some way might not open to arrange those things, which might, probably, if left as they then were, produce unkind feelings in the neighbourhood, and unnecessarily interrupt the harmony which had so remarkably characterized that neighbourhood and meeting. This proposition was urged by Friends, and resisted by the Orthodox party in that meeting. The school property belonging to that Preparative Meeting was likely also to produce increased difficul-

ty among the members constituting it, in consequence of the separation before alluded to; in order to prevent which, the trustees of Friends who had charge of such property, principally, very early made overtures to those Friends who were among the Orthodox, and who also claimed to have the control of it. A copy of the overture I have in my pocket, and if it is thought proper I can exhibit it.

The witness producing the paper further says, this is the original agreed upon by the trustees.

The paper is now offered in evidence, on the part of the complainant, and Stacy Decow, and marked Exhibit W.—[See Appendix.]

Q. Was that overture acceded to by those to whom it was sent?

A. We never received any official information from them in regard to it. All the private information which we received, went to show that they would do nothing in the case. Although I believe some of their members thought our propositions very reasonable and just.

Q. Were you or they the majority of the meeting?

A. As regards the meeting collectively, I think there is not much difference; as regards the male members, I think the majority is on their side.

Q. Were you, or they, in possession of the school property?

A. We were in possession of the school property, with a very small exception.

Q. So far as you have had opportunity of observing, have the disownments of the Orthodox party appeared to be in the spirit of restoring love of the discipline, or with the view of arrogating the name, rights, and property of the society?

A. It is difficult to say, what might have been the feelings of our Orthodox Friends under such very extraordinary circumstances; but if we are at liberty to judge of their feelings by their conduct, and of the fruits which their *very ridiculous* proceedings produced, I should be inclined to think, there had been but very little of the spirit of restoring love; and when we take into consideration their own individual declarations about the time of their pretending thus to deal, in connexion with the known fact of their having retained several lawyers, under whose direction it was supposed that they were acting, the conclusion seems almost irresistible, that the property belonging to the society was the principal thing that they were aiming at. When I speak as I do upon the last question, I should be very sorry to be understood, as intending to include all who are in connexion with the Orthodox party. There are many men among them, with whom I am acquainted, for whose justice and liberality I have a very great regard; and whom, I am grateful, that I can still place upon the list of my Friends, and who by no means join in this crusade after property; and who also entirely disapprove of the course which their Orthodox brethren have taken in regard to it.

And being cross-examined on the part of Joseph Hendrickson, the witness further saith.

Question by Mr. Brown. Does not the discipline of the Society of Friends forbid the attendance at its meetings for discipline, of persons who are either under dealing or disowned?

A. I am not aware that the discipline goes to the extent to *forbid*; but it does contemplate that persons thus circumstanced, shall not be present at meetings for discipline.

Q. Was it the practice, within your knowledge, previous to the separation, for persons thus circumstanced, to attend such meetings?

A. It was not the practice of latter times; although I think it was formerly: I say it was not the practice of latter times, in meetings where I was acquainted, for such persons to sit, either before or since the separation.

Q. Would it be consistent with the order of society, for a meeting for discipline to proceed with its business, if such persons should obtrude themselves into it, and persist in sitting there?

A. I think such a case as that is not provided for in the discipline; and such a case. I think, I never witnessed in a meeting that I attended.

therefore am unable to say what course would be pursued in a case of that kind; but I give it as my opinion, that it would not be according to the order of society to have such persons present.

Q. Would it not be contrary to the usage of the society?

A. With regard to usage, as I said before, I never witnessed such a case, and therefore can say but little as to the usage. I believe, however, that instances have occurred where such persons have refused to withdraw, and they have been taken out of the meeting; but I never knew, I think, an instance of a meeting adjourning, neither did I ever hear of such an instance, until very lately, because of the presence of such persons.

Q. If the discipline discountenances the attendance of such persons at a meeting for discipline, would not a meeting that suffered them to sit whilst proceeding with its business, thereby sanction a violation of that discipline?

A. Inasmuch as there is no discipline directing how a meeting shall proceed in a case of that kind, if a meeting were so to act as named in the question, I do not conceive that it would violate the discipline, as regarded the meeting; but the individual who thus intruded himself, not being a member, would act in violation of the discipline.

Q. Does not the discipline say that persons under dealing or disowned, are not to be permitted to sit in meetings for discipline?

A. If the discipline does so state, it is worded somewhat differently from what was my recollection or apprehension of that part of it.

The discipline, [Exhibit No. 13,] is shown the witness—when he says: on a reference to the discipline, I find that such is the language which it holds; and should, therefore, in answer to the question previously put, be of the mind, that meetings for discipline could not sanction the continuance of persons in that situation.

Q. If a large number of such persons were present, who, after they were requested to withdraw, still persisted in remaining, would it be most consistent with the pacific principles of Friends to remove them by force, or for the meeting to adjourn to a time and place, where it would be select?

A. I think where proper labour had been taken, by naming individuals who have no right to a seat, and requesting them to withdraw, if they could not be prevailed upon to do so, in such cases as are mentioned in the question, I should think it most in accordance with the pacific principles of the society to adjourn the meeting.

Adjourned until to-morrow morning, ten o'clock.

Wednesday morning, 16th, 1831, ten o'clock. Cross-examination of Charles Stokes continued. Present as before.

Question. You have stated that you attended Burlington Quarter Meeting at the time of the separation; was that meeting regularly constituted, and opened by the clerk, as usual?

Witness. I would ask the counsel what is meant by being regularly constituted?

Counsel. Were not all its Monthly Meetings represented in it?

Witness. I am inclined to think, that Mount Holly Monthly Meeting was not represented. It was opened in the usual manner, I believe. I have no distinct recollection whether there was any exception, but Mount Holly Monthly Meeting; but I suppose all the others were represented.

Q. Were there not a number of Friends there, purporting to be a representation from Mount Holly Monthly Meeting?

A. My recollection does not enable me to answer that question.

Q. Who was the clerk of that Quarterly Meeting, and how long had he acted in that station?

A. John Gummere was the clerk—I do not remember the length of time that he had served in that station, but I think for several years; perhaps three or four.

Q. Did you attend Burlington Quarterly Meeting in Fifth-month, 1827?

A. I did.

Q. Did that Quarterly Meeting receive and recognise by minute, the extracts from the minutes of the Yearly Meeting held in Philadelphia, in Fourth-month previous, and also the committee appointed by it to visit the subordinate meetings, and who were then in attendance?

A. As regards the extracts spoken of, I have no distinct recollection; but suppose it was the case: with regard to the committee alluded to, I think they were recognised by a minute made by the clerk.

Q. Was there any objection made to recognising the committee?

A. In the appointment of representatives to attend the Yearly Meeting in the Quarterly Meeting held in Second-month preceding, the thing was so managed, as to have, I believe, none appointed to attend the Yearly Meeting except those who were considered on the Orthodox side of the question: and as the Quarterly Meeting held in Fifth-month could derive no official information with regard to the character of the Yearly Meeting which they had been appointed to attend, except through them; and inasmuch as they made no report to the Quarter in Fifth-month, by which the Quarterly Meeting became informed, the meeting had no means of knowing the character of that Yearly Meeting, and of the disorderly and arbitrary manner in which said committee had been appointed; consequently, it was natural to presume that the proceedings of that Yearly Meeting had been in the regular order of society. It would, therefore, have been ill-advised under such circumstances, to make any objection.

Q. Was there then any objection made?

A. I think there was none expressed.

Q. I wish the witness to explain what he means by saying that “things were so managed” that only representatives of a particular character were appointed to represent Burlington Quarter, in the Yearly Meeting held in Philadelphia in Fourth-month, 1827?

A. It is difficult for me to give an answer which will convey a clear understanding, with regard to that appointment. I think, however, that individuals were named to attend that Yearly Meeting, who were understood to disapprove of the arbitrary proceedings of certain elders in

Philadelphia, whose names were not taken by the clerk. I am not about to say, that the clerk designedly omitted to take those names, for I had believed him to be an honourable man, and disposed to act with propriety; but such, I think, was the fact. And afterwards, in a conversation upon the subject, he gave as a reason why those names were not taken by him, that he was under a degree of embarrassment, occasioned by the nominations having been so rapidly made.

Q. If you did not suppose this omission to have been *designed*, does the conduct of the clerk upon that occasion deserve to be stigmatized as *management*?"

A. The qualification made in my last answer, I think, was not calculated to place any stigma upon the clerk. But when the appointment of representatives was before the meeting, and names which had been mentioned, but not taken by the clerk, as I have before stated, some repeated twice, and the meeting perhaps reminded the third time that such names had been mentioned, some of those who had been influential men in that Quarterly Meeting, made objections to any more names being taken than what the clerk already had; and as it was thought to be in vain to urge the matter any further, the subject thus rested. This, perhaps, may be sufficient explanation of what I meant by "management."

Q. You have said that some influential Friends objected to the receiving of more names; had not the clerk at that time as many, or more, names than Burlington Quarter had usually appointed as representatives at the Yearly Meeting?

A. As there was no specific number assigned to Burlington Quarterly Meeting by the discipline, and as I do not recollect how many had been appointed on former occasions, or how many were appointed at that time, I am not able to answer that question. But I believe that Burlington Quarterly Meeting had not been in the habit, neither before nor at that time, of appointing as many representatives as were thought to be their due proportion, according to the appointments made by most of the other Quarterly Meetings.

Q. Were not Joseph Abbott and Thomas C. Sterling, appointed that year as representatives from Burlington Quarter to the Yearly Meeting?

A. I now think, since those names are mentioned, that Thomas C. Sterling was; but did not recollect it when I spoke of the appointment of the representatives.

Q. Have you no recollection as to Joseph Abbott?

A. I have no recollection.

Q. Were not Joseph Abbott and Thomas C. Sterling known to be of our party, and are they not now among those whom you call Friends?

A. If the counsel had put the first part of his question in the language which I made use of, when I spoke of those whose names were not taken by the clerk, I could more readily answer the question: with regard to the latter part, Thomas C. Sterling is a member with Friends: Joseph Abbott I am not acquainted with, and therefore cannot answer with regard to him. In regard to the first branch of the question, I am willing to say further, that Thomas C. Sterling was considered of those who approved of the proceedings of the elders, &c. before alluded to.

Q. Is not William Black, who was also a representative from Burlington Quarter to the Yearly Meeting that year, among those whom you call Friends?

A. At the present time he is: but at the separation which took place

in the Monthly Meeting of which he is a member, and for some time after, I think he was with the Orthodox part.

Q. Did not a considerable number of the members of Burlington Quarter, who were favourable to your views, attend the Yearly Meeting in 1827, and witness the proceedings of the meeting?

A. The term "considerable number," is to my mind very indefinite: there were a number of Friends who did attend, I believe, of the description alluded to; but how many, I do not know.

Q. Did the several meetings constituting Burlington Quarter, raise their proportions of the money called for by those extracts of the Yearly Meeting of 1827, and pay it to the treasurer of the Yearly Meeting?

A. That is a question which I have not the means of certainly answering; but I think it probable that they did do so: for, if I recollect right, no money was ordered to be raised at that Yearly Meeting, except a sum of three thousand dollars, to aid our Friends of one of the southern Yearly Meetings to remove certain persons of colour. As this was an act of humanity, or so considered, I believe, that Friends generally were willing to participate in it.

Q. How many Monthly Meetings constituted Burlington Quarterly Meeting at that time?

A. Five, I think.

Q. Did the committee, appointed by the Yearly Meeting in Fourth month, 1827, attend the Quarterly Meeting of Burlington in Eighth month, 1827, and was there any objection then made to their attendance?

A. I believe there were some Friends at that Quarterly Meeting who were said to be of the committee appointed by a party in that Yearly Meeting. And as members of society, generally, are understood to have rights to sit in our meetings for discipline, there was no objection of course made to *them*.

Q. By whom was it said that that committee were appointed by a party in the Yearly Meeting?

A. It was generally so said by those who are now on the side of Friends, who were present at the appointment of that committee, as far as I have understood, I think. It was also stated in a report made by, I think, fifteen of the representatives, who had been appointed by Abington Quarterly Meeting to attend the Yearly Meeting; and also by twenty of the twenty-four representatives appointed by Bucks Quarterly Meeting to attend that Yearly Meeting; that this committee was not appointed by the Yearly Meeting, but in very great disorder, by a party in that Yearly Meeting. And, I think, in both cases, they recommended that those Friends, who claimed to be said committee, should not be recognised as a committee. And when they offered themselves in those meetings, and in one in particular, that of Abington, and asked to be recognised on the minutes of said meeting, as was stated by one of their number, in order that they might be incorporated with the Quarterly Meeting, so as to enable them "to aid and assist it with their counsel," both meetings refused so to recognise them; but considered them only as members of society. I might also add, that one or more of the representatives from Abington Quarterly Meeting, who did not sign the report before alluded to, expressed concurrence with it in the Quarterly Meeting.

Q. Was it objected in Burlington Quarterly Meeting held in Eighth-

, 1827, that this committee was appointed by a *party* in the Yearly Meeting?

I have no recollection of any thing being said upon the subject, of the committee's appointment, or of their being in attendance. Were they not the same persons who had attended the Quarterly Meeting in Fifth-month of the same year, and were then received and admitted as the committee of the Yearly Meeting?

There might have been many of the same persons in attendance, as members of the society—and they might also, for any thing I have considered themselves as acting under that appointment; I recollect no expression to that amount being made.

Were the representatives, of whom you have spoken, as making reports to Abington and Bucks Quarters, persons whom you call *heretics*—I mean as contradistinguished from those you call Ortho-

What question I am unable to answer with regard to them all, or with the exception of but very few—some I believe were.

Do you know of any of those, whom you call Orthodox, having been named in those reports?

I have no knowledge upon that subject, I think.

At the Quarterly Meeting at which the separation took place, were not a number of persons present from other Quarterly Meetings, who were stated to be under dealing, or disowned?

It was so alleged, that there was one or more such present—but none of that description was named.

Did not several of the members of Burlington Quarterly Meeting say, that there were persons present whom they knew to be in that condition, and whose names they could mention, if necessary?

I have no recollection of any such circumstance; but I am inclined to think, that but very few of the members of that Quarterly Meeting made any statement that there were any such present. And as regards naming names, if necessary, I think that that could not have been so, because those who were supposed such persons were in the meeting, were requested to name them, which was not done.

Were not the persons, who alleged in the meeting upon that occasion, that there were persons present in it, under dealing, or disowned, who were of respectable character for veracity, and who had long been among its most useful and active members?

I do not now recollect who the persons were that made this allegation.

but I think it was confined to a very few, and who, I have no doubt, were worthy men, and men of veracity, and who had been active, and perhaps useful in the society; and who perhaps, upon most matters, were respected with the difficulties in society, would be entitled to full consideration.

But in this matter, the meeting did not appear to agree with this sentiment.

Did not those who were in favour of an adjournment, and who left the meeting in conformity to the minute to that effect, appear to be satisfied?

There were persons present in the Quarterly Meeting, that were under dealing, or disowned?

Which evidence was not afforded by any act, with the exception of a few, except the circumstance of their leaving the house might be considered as such.

Q. Was not the allegation that such persons were present, the ground of proposing the adjournment?

A. I think it was the ostensible ground.

Q. Did not many of the members leave the meeting with the clerk, on the minute of adjournment being read?

A. Yes—there were a considerable number.

Q. Was it not generally known that Green street Monthly Meeting had been laid down by Philadelphia Quarterly Meeting, previous to that time?

A. It was generally known, I presume, that Philadelphia Quarterly Meeting, or that a certain *party* in Philadelphia Quarterly Meeting, had pretended to lay down Green street Monthly Meeting; but it was also *much more generally known* that the attempt had entirely failed; and that Green street Monthly Meeting was in full operation, caring for its members, and protecting their rights.

Q. Is there any rule of discipline which gives one Quarterly Meeting a right to pronounce upon the validity of the proceedings of another Quarter?

A. I am not aware of any such discipline.

Q. Was not Burlington Quarterly Meeting in Eleventh-month, 1827, a constituent branch of, and subordinate to, the Yearly Meeting of Friends of Philadelphia held in Fourth-month of that year?

A. Yes; subordinate in the discipline.

Q. You state that since the separation you have attended Burlington Quarter, and that it has been regularly held since that time; of how many Monthly Meetings does the meeting you allude to consist, and what are they?

A. There have been but four Monthly Meetings represented in Burlington Quarterly Meeting since the separation; and they consist of Burlington, Chesterfield, Upper Springfield, and Mount Holly. Little Egg-Harbour Monthly Meeting not having sent representatives, since the separation: but a number of their members have attached themselves, or have become attached to Mount Holly Monthly Meeting. It might not, perhaps, be amiss to state, with regard to Little Egg-Harbour Monthly Meeting, that a considerable number of their members are not satisfied with the proceedings of their Orthodox Friends, but as the Monthly Meeting, when altogether, is but small, they think it most prudent to remain as they are.

Q. Have not those whom you call Friends in one of the Monthly Meetings, attempted to separate themselves from Burlington Quarter, and join themselves to Bucks Quarter, in Pennsylvania?

A. In consequence of some very high-handed measures taken in the Quarterly Meeting, by a *party* in the Quarterly Meeting which had the rule, towards Mount Holly Monthly Meeting, that Monthly Meeting conceived that it could no longer be of any service to the Quarterly Meeting; and from the disposition manifested by the party before mentioned towards them, they apprehended they should derive but very little benefit from their connexion with the Quarterly Meeting, and concluded according to what they apprehended to be their legitimate rights and privileges, had been attempted to be invaded, by the party aforesaid, that it behooved them to seek for a connexion where they might be treated more as brethren having equal rights; accordingly they made applica-

were received as a component branch of Bucks Quarterly

When did this circumstance take place?

I do not recollect as to the date: but I think it was some time in the latter part of the year 1827.

Were any rule of discipline authorizing such a procedure?

I think there is no rule of discipline in the case, either for or

not a Monthly Meeting declared by the discipline, to be subordinate and accountable to its Quarterly Meeting?

There is a rule of discipline to that effect: but I should think, that it would be closed that the Quarterly Meeting should be subordinate to the

Monthly Meeting is to be the judge, whether the Quarterly Meeting in its proceedings has been subordinate to the discipline or not?

It is a question which in the regular order of society, and when discipline is administered for the benefit of society, and not to subvert the views of a party in it, might, as I apprehend, be safely referred to the Yearly Meeting.

[NOON.]

Is it consistent with the subordination and responsibility of meetings prescribed by the discipline, or with the usages of the Society, for a Monthly Meeting to dissolve its connexion with its Quarterly Meeting without its consent, and attach itself to another?

When we speak of the exercise of the discipline and the usages of the Society, was it contemplated at the time of the formation of the discipline, to suppose a state wherein the society acted in harmony, and not wherein a *party* in the society, or a *minority* in the society, had the power to control the proceedings thereof, contrary to the judgment of the majority of the part. In such a state of society, I apprehend, that such a disunion would be taken by a Monthly Meeting would not be in accordance with the *usage* of society, although I believe the *discipline* is silent upon the subject. Such a state did not, however, exist at the time alluded to, but directly the contrary. What had been considered the usage of the Society, therefore, when the society harmonized, could be entitled to but a temporary application at a period when the society was convulsed in disorder as it was in the year 1827.

Should Mount Holly Monthly Meeting ask or obtain the consent of the Quarterly Meeting, to the proposed disjunction from it, and union with another?

In the manner in which Mount Holly Monthly Meeting had been treated by the ruling part of Burlington Quarterly Meeting, I suppose they apprehended but very little benefit would arise from an union of any kind to that Quarterly Meeting. They therefore came to the conclusion to dissolve the connexion, without such application; and presented the Quarterly Meeting with a copy of a minute of said disunion meeting, expressive of such act. This minute was offered in the Yearly Meeting by the clerk of the Monthly Meeting, he at the same time informing the Quarterly Meeting of the nature of its contents. A *party* in the Quarterly Meeting, having the clerk on their side, refused to permit this official document of the Monthly Meeting to be read in the Quarterly Meeting; but gave the sanction of autho-

rity to the statement of an individual member of that Monthly Meeting rather than to the official statement of the meeting itself; and if any further was necessary, more clearly to evidence the disrespect which that Monthly Meeting was treated, a statement of a few individuals, members of that Monthly Meeting, perhaps fifteen or sixteen in number, wherein they complained of the act of Mount Holly Monthly Meeting, in dissolving the connexion as aforesaid, and perhaps for other reasons also, was read in the meeting.

Q. Did not the Quarterly Meeting refuse to hear that minute because the act which the clerk of Mount Holly Monthly Meeting declared it recorded, was a violation of the usage and discipline of society?

A. I think that reasons of that character were given by a party at that meeting, but which were, however, considered by many Friends entirely insufficient, inasmuch as it was thought the Quarterly Meeting had no right to know what the minute recorded, only from the minute itself: and that to act otherwise, was to treat that Monthly Meeting with improper disrespect, and was a strong evidence, that the Mount Holly Meeting had cause to lose its confidence in the Quarterly Meeting.

Q. Was it not officially known to the Burlington Quarterly Meeting that the person who announced to it the purport of that minute, was clerk of Mount Holly Monthly Meeting?

A. The party that I have before mentioned, in that Quarterly Meeting I think, excluded the only evidence of that fact, by refusing to have that minute before alluded to read.

Q. Are not reports of the respective Monthly Meetings to the Quarterly Meeting, presented to the Quarterly Meeting every three months, signed by their clerks?

A. That is the custom of the society; but at this Quarterly Meeting I think no such reports had been forwarded by Mount Holly Monthly Meeting.

Q. You have stated, that the same Quarterly Meeting did receive and read a protest from a number of the members of Mount Holly Monthly Meeting, against dissolving its connexion with Burlington Quarterly Meeting, and that a part of the members of that Monthly Meeting did then object to those proceedings, as contrary to the discipline, and declined being considered members of Bucks Quarterly Meeting?

A. This protest of which the counsel speaks, it was very well understood, and, I expect, could be substantiated if necessary, was drawn by a person not a member of Mount Holly Monthly Meeting, but who had taken a very strong side with the ruling party in the Quarterly Meeting, and was taken to Mount Holly, and very considerable pains were taken to induce all that could be prevailed upon, by means of that influence, to sign this paper: a number of which, who are the signers, I apprehend, had previously formed but very indistinct ideas of the provisions of the discipline or the usages of society in that respect. I apprehend neither one of whom, of all the signers of that paper, do I apprehend that the idea of forwarding such a paper would have originated with them; might, however, be considered, that they did *mechanically* dissent from the conclusion of that Monthly Meeting.

Q. Did they ever become members of Bucks Quarterly?

A. That is a question about which I have no knowledge.

Q. Did they not express a wish to continue members of Burlington Quarter?

A. I presume the paper alluded to, contains such expressions.

Q. Was there no objection made to the proposition when it was before the Monthly Meeting?

A. I believe I was not at that Monthly Meeting; or if I was, I have no *distinct* recollection of any opposition.

Q. You have spoken of the course pursued by Burlington Quarterly Meeting towards Mount Holly Monthly Meeting, as disrespectful: if respect was due from the Quarterly to the Monthly Meeting, was there not also so much deference and respect due from the Monthly Meeting to its superior meeting, as to induce it to ask its consent to so important a measure as contemplated disjunction?

A. The omission to pay this respect by the Monthly to the Quarterly Meeting, is sufficiently accounted for, by the relation in which the meetings stood to each other, or a *party* in the Quarterly Meeting to the Mount Holly Monthly Meeting: this, together with an answer to a foregoing question, will be a sufficient answer to the present.

Q. Previously to the attempt of Mount Holly Monthly Meeting to separate itself from Burlington Quarterly Meeting, had the latter meeting taken any other measure in relation to that Monthly Meeting, than to appoint a committee to examine into its proceedings?

A. It now becomes necessary for me to speak of a matter which I would gladly have avoided; inasmuch as circumstances are connected with it, wherein I was personally concerned. But it becomes necessary to go a little further back, in order to a clear understanding of the case.

In the Quarterly Meeting of Burlington, held in Second-month, 1827, a member of the meeting for ministers and elders, and one, also, who was considered as uniting with the proceedings that grew out of the unlawful combination of elders in the city of Philadelphia, represented to the general Quarterly Meeting, that Mount Holly Monthly Meeting had acted contrary to the discipline, by the granting of a certificate of removal to a person in the station of a minister, who was under the care of the select meeting; and that they had also released two persons, members of that meeting, from the station of elders in it. The subject thus introduced into the Quarterly Meeting, it was thought by some of the members, who were also of the select meeting, that as the Quarterly Meeting had no official knowledge of the fact, it would be proper to appoint a committee to inquire, and report to a future Quarterly Meeting. It very soon occurred to my mind, that as this was to be a committee of inquiry, that it ought to be an impartial and disinterested one. I waited, however, without saying any thing, until one person, and who was also a member of the select meeting, was named to be on the committee,—when I arose and stated to the meeting, that according to my understanding of the nature of the committee about to be appointed, it was to be a committee of inquiry, and also, that “Mount Holly Monthly Meeting, and the select Quarterly Meeting, were in this case as parties at issue”—that my view of the subject was, that we should endeavour to have a disinterested committee, and that the members neither of Mount Holly Monthly Meeting, nor of the meeting for ministers and elders, or select meeting, should be appointed on it. The view thus taken, has, from that time to the present, appeared to me so rational, and one so much calculated to obtain the approbation of the

meeting, and perhaps fearful lest such an effect might be produced, it was thought the shortest way, and the most effectual to prevent it, was to treat the proposition with great severity; for I had no sooner taken my seat than a very conspicuous member of that Quarterly Meeting, and one, who, in every respect, except in matters connected with this controversy, I highly esteem, replied to the proposition with all that sarcastic severity for which he was so eminently qualified, and in which he was enabled to succeed the more powerfully, because of the manner in which he misrepresented my proposition, by stating to the meeting that mine was an attempt to introduce into that Quarterly Meeting the controversy which had then been going on between the two parties in the society elsewhere. So that time, according to the best of my recollection, and neither to the present time, (with the exception of one instance which I have mentioned in my examination in chief, as having taken place in the Yearly Meeting,) I think I have never witnessed such severity, and unkindness, and unjustifiable rebuke, on any occasion. While I was writhing under the injustice thus done me, and my feelings wounded in a manner which I have not terms to express, I again rose to clear myself of the odium thus attempted to be thrown upon me; and while I was in the act of explaining to the meeting, that it was not the "two great parties" which prevailed in the society to which I was alluding, but only that Mount Holly Monthly Meeting and the select Quarterly Meeting, were as "parties at issue" in this case—a Friend who occupied one of the upper seats in the meeting told me that I had better sit down. The coast thus cleared, it was an easy matter to proceed with the appointment, inasmuch as it was not very probable, after the manner in which I had been treated, that any other person would have hardihood enough to make any remarks, contrary to the views of the members of the meeting of ministers and elders. Accordingly the nomination of the committee went on, all of whom, with the exception of two, I think, were members of the select meeting. This committee attended Mount Holly Monthly Meeting, and asked of that meeting to appoint a committee to give them information upon the subject of their appointment. That meeting, however, were not willing to entrust any of its members with an expression of the views of the meeting, or judgment of the meeting, further than was contained in the minutes of the meeting, and declined appointing any committee, but furnished the committee in attendance with the minutes of that meeting. The committee, from information which they obtained from the minutes, and also from statements made by those who were complainants, I think, drew up a report, which was presented to the Quarterly Meeting in Fifth-month of the same year. In this report it was stated, if my recollection serves me rightly, that the acts of Mount Holly Monthly Meeting, in the cases introduced into the Quarterly Meeting preceding, were contrary to the discipline, and therefore ought to be annulled. The question now arose in the Quarterly Meeting as to the disposition of the report. Many Friends in the Quarterly Meeting requested, or wished, that the committee, or those who advocated the report, would point out the discipline which Mount Holly Monthly Meeting had violated, in order that it might be read. This was objected to, as being unnecessary, that the discipline was, as they apprehended, clear. It was then again requested inasmuch as many Friends seemed to doubt there being any such discipline, that if there was any such, it might be pointed out and read,

at perhaps it might produce conviction on every mind. But there appeared to be a determination in the meeting, or in a party in the meeting, not to suffer the discipline to be read. This *party* which I now speak of, consisted of those who are now termed the Orthodox party. The next request, I think, that was made, was, that a committee might be appointed to take the report then under consideration in connexion with the discipline of the society, and compare them, and report to a future meeting, whether such a report which declared the proceedings of Mount Holly Monthly Meeting, as contrary to the discipline, was warranted by it. This proposition, however, was opposed by the party before alluded to, although desired by many Friends. A proposition was then made to postpone any further consideration of the subject until the next Quarterly Meeting, in order that the members might have an opportunity, individually, to examine the discipline for themselves, as it was not permitted to be read in the meeting. This proposition also met with the same fate as the former had done—when the clerk read a minute, purporting to adopt the report of the committee; when there was, if I recollect right, considerably more expression in opposition than in favour of the measure. There is one other *act* which it may not be amiss to mention, as making a more full answer to the question, or *omission* perhaps I had better call it. In the Quarterly Meeting of Second-month, 1827, there were no names of representatives members of Mount Holly Monthly Meeting taken on to the reports forwarded to the Yearly Meeting, although several names were given in for that service. These acts, in the apprehension of Mount Holly Monthly Meeting, afforded sufficient ground for dissatisfaction, and loss of confidence in the Quarterly Meeting. As in the first case alluded to, more particularly, the same persons who were their accusers, were those who gave testimony, and who finally assumed to sit in judgment in their case, and who did pronounce their acts to be void, contrary to what appeared to be the sentiment of the Quarterly Meeting.

Q. Who was it that gave you the rebuke of which you have spoken?

A. I would willingly withhold the name, from the great regard that I have for the individual; believing that it was not common for him to be betrayed into such improprieties. I should be sorry, out of the great personal regard to that Friend, to place his name on this record; if, however, the counsel insists on it, lest it might be construed into an attempt at evasion, if I were to withhold his name, I will give it, believing, at the same time, that if the counsel and his advisers had the same feelings of tenderness and very high respect for the individual alluded to, as I am now conscious of, as regards myself, although he does not speak with me in religious fellowship, but with the Orthodox party, I think they would not insist.

Counsel. I would remark, that the witness in his statement assumes that I have all the knowledge in relation to the subject of the question put to him, that he possesses, although he has not answered it. I cannot have any personal feeling to gratify, in calling for an answer to this question. I do so, because I think it competent, and may in some respects have an important bearing on the cause. I should regret, as much as the witness can, to be the means of casting obloquy upon any respectable member of the society; but I am not aware that any such consequence can result from an answer to the question.

Witness. After what is now put upon the record by the counsel, I

should not, or do not feel at liberty to withhold the name any longer. The Friend alluded to is John Cox; and if it is thought necessary by the counsel, I will endeavour to give the name of the Friend who directed me to "sit down."

Counsel. I was going to ask that question.

Witness. The person who directed me to sit down, sat nearly facing me in the meeting, and occupied, I think, a seat in what is called the second gallery, and was a person whom I was not intimately acquainted with, and I may therefore possibly be under a mistake with regard to his name, although I think I am not. This last mentioned person, I had supposed, was Samuel Craft. I ought, however, in justice to Samuel Craft, also to state, that on my recently making the inquiry of him, he alleged that I must be under a mistake.

Adjourned until to-morrow morning at 10 o'clock.

Thursday morning, 17th March, 10 o'clock. Cross-examination of Charles Stokes continued. Present as before.

Question by Mr. Brown. Were you one of the committee appointed to examine into the proceedings of Mount Holly Monthly Meeting?

A. I was named on a committee appointed in the Quarterly Meeting, in Second-month, 1827, to inquire with regard to certain proceedings of Mount Holly Monthly Meeting, as contained in a former answer.

Q. Of how many persons did that committee consist?

A. I do not now recollect. I think the number, on recollection, was something like six or eight.

Q. Were the proceedings of Mount Holly Monthly Meeting, in displacing its elders, conformable with any rule of discipline; and if so, state what that rule is?

Witness. [After looking into the discipline.] I am not aware of there being any specific rule of discipline, which points out the manner of displacing elders from that station, merely because the Monthly Meeting is dissatisfied with them. On examining further the discipline, I find there is a rule relating to the subject, which had escaped my recollection, and which I will now read: it is on page 68, and in these words: "If any acknowledged member of our meetings of ministers and elders, shall at any time be thought, by negligence, unfaithfulness, or otherwise, to have lost his or her service in that station, so as to become the subject of uneasiness, and burdensome, (yet not so as to be under the care of a meeting of discipline on that account, or for misconduct,) it is advised that a timely and tender care be extended to such persons, according to gospel order." The rule then goes on to show——

Mr. Brown. I would suggest, that it would be as well to give the whole rule.

Witness. It appears to me that it would be lost time: The rule then goes on to show the manner in which such subject of uneasiness, not under the care of a meeting for discipline, as aforesaid, may be treated with, by the meeting of ministers and elders, which appears to my mind conclusive, that Monthly Meetings have unquestionably the right, they being meetings for discipline. And further, in page 63, where the discipline provides for the appointment of Friends to the station of elders, it requires and enjoins it upon Monthly Meetings, that they take "care that the Friends chosen for that service be prudent, solid Friends, and that they do carefully discharge the trust confided to them;" which is

• another convincing evidence, to my mind, that Monthly Meetings are bound to exercise an authority in this respect; for, without it, it would be very difficult for me to conceive in what way they could take the necessary care, that the persons appointed by them should "carefully discharge the trust which they had confided to them." There is another evidence, perhaps equally conclusive, in the third query required to be answered by the Preparative and Quarterly Meetings of sisters and elders, to be found on page 96, which makes it obligatory on the members of those meetings, that they should be in unity with the meeting they belong to; or which rather queries whether they are in unity. To preserve the harmonious operations of society, consistently with the design of the discipline, it becomes, therefore, necessary that elders should be in unity with their Monthly Meetings; and when this is found not to be the case, by a Monthly Meeting, I should think a Monthly Meeting would be strictly within the bounds of its duty, to exercise its authority in that behalf.

Q. For what cause were the elders of Mount Holly Monthly Meeting released by that meeting?

A. Not being a member of that Monthly Meeting, and never, to my recollection, having been particularly informed, I am not able to answer the question.

Q. Did you not, while acting as one of the committee appointed to enquire into the proceedings of Mount Holly Monthly Meeting, see the minutes of the meeting, and examine them?

A. I think minutes were produced to that committee, or copies of minutes, I don't remember which; and I suppose they were read; but I have no recollection of even that fact. I think I did not examine them; as I met with that committee but once, this part of the business, perhaps owing to that cause, did not make a forcible impression on my mind. I have no distinct recollection of what the minutes did contain.

Q. Have you no common reputation as to the cause for releasing the elders of Mount Holly Monthly Meeting from service?

A. I do not think that I have any knowledge from common reputation that would justify my giving it in evidence, or as evidence. If I were to tell that I had heard on this and other subjects connected with this controversy, I might say many things that I have no wish to say, and which would by no means be for the advantage of the reputation of some to rank on the Orthodox side of the question.

Mr. Brown. Will you not permit them to be the guardians of their reputation?

Witness. I don't wish to be accessory to the circulation of reports, as I know them to be founded in fact.

Q. Am I to understand then that you have not understood, or learnt, from any source, the cause of the releasement of those elders?

A. I wish not to be understood, as not having heard a *part* of the cause for which they were so released; but even this much is from hearsay.

But whether I am acquainted with the *entire cause*, or ever have heard, I do not know.

Q. Acting in the character of one of the committee appointed to inquire into the proceedings of that meeting, could you have been satisfied after hearing a cause in *part* assigned, for such a proceeding as the releasing of elders, without inquiring into the whole matter?

A. In answer to that question it will be necessary for me to go a little further. II.—29

back. I did not feel myself, while on that committee, as being incorporated with them, in a manner to make me very solicitous to join them in their inquiries, or aid them. I considered, that it was very much a *party* appointment, consisting mostly of what I supposed were virtually the accusers in the case; and I supposed that the way my name happened to be placed upon the committee, was because of the sympathy which some Friend might have felt in the Quarterly Meeting, occasioned by the treatment I had received there, with regard to the appointment of this committee. In the former answer, there is, I should think, a sufficient reply to the remaining part of the question.

Q. State *all* that you have heard assigned as the causes of their releasement?

A. I regret very much that there still appears a disposition to expose, as I apprehend, unnecessarily, the foibles and infirmities of human nature; especially when I apprehend that they have but very little or no connexion with the matters now at issue. But in answer to the question, I must say, that I have understood generally, that the two persons who were released from the station of elders, were of such a make, as to fit them to be made completely the tools and instruments by which certain individuals, not members of that meeting, were seeking to control business within its limits, and calculated to disturb its harmony. If the counsel and his advisers, will be satisfied with this general answer, I am willing there to leave it.

Counsel. We want the *whole* truth.

A. With regard to the *male* elder, it was asserted that he was in the habit of sleeping in meeting. With regard to the *female*, I have nothing sufficiently distinct in my recollection, to warrant my repeating any charge.

Q. So far as you know of your own knowledge, or have learned from common report, were the causes for the releasement of those elders, assigned either in the minutes of their releasement, or in the Monthly Meeting, at the time of the releasement?

A. I think I have no knowledge upon that subject.

Q. From neither source?

A. Yes, I meant to include both.

Q. Does not the rule of discipline, a part of which you have read, go on to enjoin, that patient brotherly labour should be extended to persons who are thought to have lost their service through negligence, unfaithfulness, or otherwise; *first*, by the parties concerned, then by the select Preparative Meeting, of which they are members; and also by the select Quarterly Meeting, before they are displaced from their station?

A. The discipline does so provide, with the exception of the last words in the question, "before they are displaced," &c.

Q. Does not the language of the discipline clearly imply that the labour is to be extended "before they are released?"

A. I think it does, in cases where they are not under the care of a meeting of discipline: when the latter is the case, it is to be presumed that the Monthly Meeting would act in accordance with the spirit of the discipline.

Q. Were either of those elders under care, or dealt with by the Monthly Meeting of Mount Holly, or the select Preparative, or Quarterly Meeting, of which they were members, for the charges you have

alleged against them, or for having lost their service through negligence, unfaithfulness, or otherwise, before they were displaced by the Monthly Meeting?

A. As I was not a member of either of those meetings, I am not able to answer that question.

Q. Have you no common reputation that their cases were first introduced to the notice of the Monthly Meeting, when the minute was made displacing them from their stations?

A. I do not recollect that I ever heard any person mention that such was the case. A committee, I have understood, (from some quarter, I don't now recollect what,) of that Monthly Meeting, was appointed to take the subject into consideration, which I think was some time, perhaps months, before their releasement.

Q. Does not the query respecting unity, to which you have referred, equally apply to *ministers* as well as to elders?

A. I think it does.

Q. Would the alleged disunity of a minister with his Monthly Meeting, authorize that meeting, without any labour for his restoration to unity, summarily to displace him from his station?

A. When I instanced the requisitions of this query, to show that elders were required to be in unity with the meeting they belonged to, it was in order to show the connexion of different parts of the discipline, which go to confirm the opinion, that Monthly Meetings have the right, and that it is their duty in certain cases, to release their members from the station of elders. With regard to ministers, the manner of their recognition as such, is different from that which regards the appointment of elders. There is not the same connexion in the discipline in the one case as in the other; and I think it most likely the discipline requires a different proceeding in the case of a minister, giving uneasiness, from that of an elder. But with regard to the summary proceedings alluded to in the question, I should not think that they would be in order.

Q. Do not the rules of discipline to which you have referred as authority for the releasement of elders, equally apply to ministers?

A. I should think not.

Q. Are not ministers acknowledged members of the meeting of ministers and elders?

A. Yes. But the rule of discipline to which I referred, which makes it the duty of the Monthly Meetings, which appoint elders to "take care that they be prudent, solid Friends, and that they carefully discharge the trust confided to them," appears to me to make it necessary, where those persons give no evidence of their being such persons as the discipline requires, for the Monthly Meeting to release them. And inasmuch as the discipline does not enjoin the same duties upon Monthly Meetings in relation to ministers, the same services would not be expected to be performed.

Q. Prior to the act of Mount Holly Monthly Meeting in displacing those elders, did you ever know an act of the kind in the society since the present discipline has been in force?

A. I think not, of my own personal knowledge. Neither am I at present aware of any particular case having come to my knowledge wherein it was necessary. The not exercising of the right, when no occasion presented, I suppose is no evidence of the non-existence of the right.

Q. Is it agreeable to the order of the society to give a person a cer-

tificate as a minister in unity, while such person was under dealing in the select Preparative or Quarterly Meeting?

A. There are principles involved in this question, which I am free to acknowledge, that I have not sufficiently balanced in my own mind, to enable me to arrive at any fixed conclusion.

Q. After the adjournment of Burlington Quarter, of which you have spoken, by those you call Orthodox, when the separation took place, how many of the Monthly Meetings were represented, in the company who remained?

Witness. Is it expected that I will speak of the representatives, who were appointed by the different Monthly Meetings to attend the Quarter?

Counsel. Yes.

A. The representatives having been called, before our Orthodox Friends withdrew, and not after, I have no means of knowing how many retired with them, nor how many remained in the Quarterly Meeting.

Q. Were Mount Holly or Little Egg-Harbour Monthly Meetings, in any way represented in that company, so far as you know?

A. I think it is most likely that members of Mount Holly Monthly Meeting, were in that meeting, but I believe no reports were received from that Monthly Meeting; and therefore, no representatives to that Quarter. As respects Egg-Harbour, I am unable to say. If there were any of the members there, I presume they must have been few; as the Monthly Meeting itself is small, and a great distance, compared with the other Monthly Meetings, from the Quarterly Meeting, and but few of its members were ever in the habit, as far as my knowledge extends, of attending the Quarterly Meeting.

Q. Did you at that time consider Mount Holly Monthly Meeting as a branch of what you call Burlington Quarterly Meeting?

A. No.

[NOON.]

Q. Is that Monthly Meeting *now* considered a part of what you call the Burlington Quarter?

A. Yes.

Q. When, and how, were those you call Friends in Mount Holly Monthly Meeting, reunited to your Quarterly Meeting of Burlington?

A. The time when, I do not now recollect, but it was soon after the separation, I think; and as to *how*, I do not recollect, not having attended that Monthly Meeting, while the subject was before it, and not being present at the Quarterly Meeting at the time, if my recollection serves me right, when it was agreed upon.

Q. You have spoken of some "very high-handed measures," pursued by Burlington Quarter towards Mount Holly Monthly Meeting; were the measures you allude to, the appointment of a committee of inquiry into the proceedings of that Monthly Meeting, and the circumstances attending it?

A. That was one of the principal measures which I had an allusion to, connected with the minute which was recorded in that case, as the sense of the Quarterly Meeting, when the report of that committee was under consideration, contrary to what appeared to be the expressed sense of the meeting.

Counsel. If by the expression "high-handed measures," the witness

means to allude to any thing besides what he has before stated, I wish him to state it.

A. I believe that I have before stated that another cause of dissatisfaction on the part of Mount Holly Monthly Meeting with the proceedings had in the Quarterly Meeting, was, that they were not permitted to have any representatives in the Yearly Meeting of 1827.

Q. Did the Quarterly Meeting refuse that particular Monthly Meeting the privilege of having representatives?

A. They were refused in the manner stated in an answer to a former question.

Q. I understand you now to say then, that the cause of offence was the designed omission of the clerk to take the names of particular persons, as you have mentioned?

A. I refer for a further explanation, to my former answers upon that subject.

Q. Does not the discipline direct, that "when a Quarterly Meeting is dissatisfied with the proceedings of any of its Monthly Meetings, they [the Monthly Meetings,] are with meekness and readiness to render an account thereof when required?"

A. I think it does. Please to read the question again. [It is read, then he further says,] I think it does require that they ought to do so.

Q. Was the Quarterly Meeting of which you are now a member, represented in the meeting held at Green street in Tenth-month, 1827?

A. As a *Quarterly Meeting*, I think it was not.

Q. When was it first represented in the Meeting which you call a Yearly Meeting, held in Green and Cherry streets?

Witness. I suppose the counsel alludes to the Yearly Meeting held on the second Second-day of Fourth-month.

Counsel. I allude to the Meeting which you call a Yearly Meeting, and which is held in Green and Cherry streets, Philadelphia, and which is held, I think, at the time you have now stated; and I ask, when was the meeting which you call the Burlington Quarterly Meeting, first represented in it?

A. Representatives were appointed by Burlington Quarterly Meeting, to attend that Yearly Meeting which was held in the year 1828.

Q. The answer does not state the time of their appointment, but only the Yearly Meeting they were appointed to attend: I wish him to state the time of their appointment?

A. They were appointed in the Quarterly Meeting at the usual time of holding said Quarterly Meeting, immediately preceding the Yearly Meetings; but that time I cannot precisely state.

Q. After the separation of which you have spoken, in Eleventh-month, 1827, did your Quarterly Meeting consider itself as a constituent branch of the Yearly Meeting held at Arch street, Philadelphia, on the third Second-day of Fourth-month?

A. The Quarterly Meeting considered itself a constituent branch of the Yearly Meeting of Philadelphia, which had been held some years previously at the Arch street house, on the third Second-day of Fourth-month; but which, owing to the circumstances which had grown out of the unsettled and divided state of society, it was concluded should be held on the second Second-day of Fourth-month.

Q. When was that conclusion come to?

A. That conclusion was come to, as I have understood, not being

present there myself, by Friends who assembled from the different parts of the Yearly Meeting, sometime in Tenth-month, preceding, in the capacity of a Yearly Meeting, seeking to restore again the society to its wonted harmony, and in the enjoyment of its just rights, which had been interrupted and infringed in many instances previously to that time.

Q. Did not the Yearly Meeting of Fourth-month, 1827, conclude to meet at the usual time next year?

A. A minute which I saw, purporting to have been made in the Yearly Meeting, so stated, on condition that "the Lord should permit." I was not present at the close of that assembly, and therefore can say nothing as to my certain knowledge; but admitting that such an adjournment did take place, it is evident that it was a contingent one, and not positive.

Q. Is not that the usual form of the minute of adjournment of the Yearly Meeting, and upon your view of it, might not every adjournment of any preceding Yearly Meeting be said to be equally contingent?

A. I apprehend that the minute alluded to was much in the usual form, but that it was not used for form merely, but that it was intended to mean what it stated: and that were the same causes to operate at any time that did at that time, the same results might ensue.

Q. I consider you then as expressing your belief that all adjournments of the Yearly Meeting in the usual form, are considered by you as contingent, in the sense in which you have explained it?

A. I wish that to be qualified by my last answer. There is another thing, however, while upon this subject, which it may not be improper to remark, as invalidating the proceedings of that Yearly Meeting; but which, I apprehend, have been already sufficiently detailed, in the course of this examination; which is, the *general character* of that Yearly Meeting.

Q. Did what you call Burlington Quarterly Meeting, send representatives to the Yearly Meeting held at Arch street, Philadelphia, on the third Second-day of Fourth-month, 1828?

A. They appointed but one set of representatives, I think; and I presume they did not attend any such meeting as alluded to in the question.

Q. They were not appointed to attend such meeting?

A. I suppose not.

Counsel. If the witness can do so, I wish him to answer the question positively.

A. I answered it as positively as I could; I cannot tell exactly what the minute stated.

Q. You have characterized the elders of Philadelphia as an "unlawful combination:" will you please to state what law they have violated?

Witness. Will the examiner please to turn to the answer where I used terms referred to in the question? [The witness is referred to two of his former answers, and the same are read to him; and the last question, at his request, is again read to him, when he answers,] If the counsel will confine himself to the language made use of by me, there would not be the same danger of my statements being misrepresented; and I could the more readily answer.

Counsel. In what have I gone beyond your own language?

Witness. The difference is, that in the question put to me, I am represented as characterizing them as an "unlawful combination," whereas in my former answer I was relating the views and statements of others.

[The former answer referred to by the witness, so far as it relates to this subject, is in the following words: "This opinion was, however,

disavowed, on the ground that it would be very improper for Burlington Quarterly Meeting, so far to countenance proceedings which had grown out of an unlawful combination of the elders, and certain other persons, in the city of Philadelphia, who were seeking," &c.; and also following: "In the Quarterly Meeting of Burlington, held in Second-month 1827, a member of the meeting for ministers and elders, and one who was considered as uniting with the proceedings that grew out of the unlawful combination of elders in the city of Philadelphia, represented," &c.]

The witness proceeds,—But in answer to the question, as to what law he had violated, I must speak only from information derived from other sources than my own personal knowledge; and from those I draw the conclusion, that the law of gospel order, as laid down in the discipline, pages 29 and 30, had been violated by the manner in which reports, to the disadvantage of a minister travelling in the order of society on a religious account, had been entertained by them, and made the ground for them to act upon.

Q. From what you have said, the ministers and elders and other persons in the city of Philadelphia, stand accused of "seeking to violate the laws of Monthly Meetings, and jeopardize the rights of members;" do you allude to the endeavours of the elders and others to arrest the propagation of what they considered anti-christian doctrine?

A. If the counsel or his advisers think it right to include the *ministers* with the elders and certain other persons, as being more correct than the statement which I made, as they may have a better means of knowing than myself, I am willing there to leave it.

Counsel. If I used the word *ministers*, I did so inadvertently and unintentionally; let the word ministers be stricken out, the question in all other respects, stand as it does.

Witness. [Again referring to his former answers,] I intended to make no allusion myself, but was only speaking of the views which were taken at the Quarterly Meeting of Burlington, held in Eleventh-month, 1827. I can observe further in answer to the question, what I suppose is your understanding upon this subject; that it was not for any proceedings sanctioned by the discipline, to prevent the spread of anti-christian doctrines; but it was because of the violations of the discipline in the manner alluded to in my former answer.

Q. Are those the only violations to which you alluded?

A. There may have been many violations which have not come to my knowledge, personally: a sufficient number of which, as I should apprehend, had been given by Abraham Lower in particular, under this examination.

Q. Do you mean to adopt as your own, the statements of Abraham Lower?

A. I am rather surprised at this question; especially as I had previously stated that I had no personal knowledge of these matters.

Counsel. I cannot see why the witness should feel this surprise, if I have understood him correctly in supposing, that his own course was governed by those views which were thus reported to him by others.

Witness. There is a difference, I conceive, between giving credit to reports so as to allow them to have an influence upon conduct, and giving in testimony, under an affirmation, those reports as facts. Although

I have no doubt but that the statements made by Abraham Lower, are substantially correct.

Q. Am I to understand that what you have said in respect to an "unlawful combination" of elders and other persons in the city of Philadelphia, and with respect to their seeking to violate the rights of Monthly Meetings, and jeopardize the rights of members, was derived from hearsay, and that you have no actual personal knowledge of the truth of any part of it?

A. With regard to Monthly Meetings having their rights jeopardized by the persons alluded to, and their influence, I don't know that I had any actual personal knowledge, within the city of Philadelphia; but as regards the rights of individuals, members of the society, I think what I have stated with regard to the Yearly Meeting, and what took place in it in Fourth-month, 1827, may be a sufficient answer to that branch of the question.

Q. That is, it contains all your knowledge as to that branch of it?

A. If it be confined to the city of Philadelphia, I don't know that I need go much further; although I have been under the impression at different times in the Yearly Meetings, held in different years, that there was something like a spirit of proscription which had manifested itself on the part of the same class of men before alluded to.

Q. Who was the minister to whom you allude in a former answer, concerning whom the elders of Philadelphia entertained reports?

A. His name was Elias Hicks.

Q. You have stated, that at the time of the separation in Burlington Quarter, a Friend, who stood high in the confidence of that meeting, made a proposition,—who was that Friend?

A. John Cox.

Q. You have stated that he proposed "the question should be taken,"—are you satisfied that you have given the words used by him upon that occasion?

Witness. [Referring to memorandums in his possession, and to his former answer.] I think I have given the words verbatim, or nearly so.

Q. By the expressions he used, did you understand him to mean anything more than that the meeting should consider the subject, and express its opinion upon it?

A. I suppose that he meant that the expression of the meeting should govern in the case. And I also suppose that he expected it would be on the other side of the question, and in favour of an adjournment: if so, in this he was disappointed; and, contrary to any thing that I had ever known to take place in a Quarterly Meeting, and contrary to what had been considered the established usage of society, (which required that when any *new* proposition was made to a meeting, in order to adopt it, the general concurrence of the meeting was requisite,) an attempt was made, under these circumstances, still to adjourn the Quarterly Meeting.

Adjourned until to-morrow morning at 10 o'clock.

Friday morning, March 18, 10 o'clock. Cross-examination of Charles Stokes continued.

Q. In the Quarterly Meeting of Burlington, to which you allude, there any decision *unitedly* come to by the meeting, to continue it.

ng and transact its business, while the persons remained whose presence was objected to?

A. I don't know that I can answer that question better than by referring to the account which I gave of that Quarterly Meeting, in a former answer. It appears a division took place upon this question.

Q. The question I put is a plain one; yea or nay?

A. I thought the answer as plain; but if I can give a more specific one by using the word yea, or nay, I shall adopt the latter.

Q. The question is then answered in the negative?

Witness. Please to read the question again. [It is read, and the answer so far, when he further answers:] The question is answered in the negative, as regards the whole number met in that Quarterly Meeting being united in continuing the business of it, as then circumstanced; it as regards the members from Green street being present, I think the fact is as I stated it in my former answer, that no person objected, was *named* in the meeting; the meeting, therefore, had *no means* of knowing that any such persons were present.

Q. Did not the Quarterly Meeting of women Friends adjourn to the same time and place, in conformity with the minute made by its clerk?

A. I think not.

Q. Was there no adjournment took place in the women's meeting?

A. I believe some of the women went home; but whether they even attempted to make an adjournment, as was the case in the men's meeting, I don't remember to have understood.

Q. Do you know that a minute of adjournment of the women's meeting was *not* made by its clerk upon that occasion? You may take latitude in answering this question, and speak from your own knowledge, or from common reputation.

A. I was not in the women's meeting; it would, therefore, be difficult to prove such a negative. I think I have no knowledge from common reputation. I think it the most probable that such might have been the case, that such a minute was made.

Q. From general repute, do you not know that those whom you call orthodox did accordingly meet at the time and place adjourned to, for the purpose of holding Burlington Quarterly Meeting?

A. I have understood that they did meet; and held what they called Burlington Quarterly Meeting.

Q. They claim, then, to be the Burlington Quarterly Meeting,—have they not, so far as you know by general repute, held that meeting at the usual time, since that period?

A. Yes, I believe they have; but not at the usual *place* at all times. The Quarterly Meeting of Burlington was formerly held alternately at Burlington and Chesterfield—since the separation, there appeared to be something like a disposition of compromise or accommodation, as well on the part of our Orthodox Friends, for which I wish them to have all the credit that is their due, as well as on the side of Friends; and to prevent an interference with each other, Friends have, since that time, continued their Quarterly Meeting at Chesterfield only, and our Orthodox Friends have continued their's at the city of Burlington only.

Q. You state that the committee, of which Samuel Emlen and Samuel East were members, was not appointed by Burlington Quarter,—do you mean to confine that observation to the Quarterly Meeting to which *you* belong?

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A. If I understand what committee it is to which the counsel allude, I believe it was appointed in the meeting purporting to be a Quarterly Meeting held at Burlington city; and not in the Quarterly Meeting which I am a member.

Q. In a meeting for discipline, where there may be different views expressed on any subject, whose duty is it to collect the sense of the meeting?

A. I have always understood, that any member of the meeting has liberty to express his own sense, with regard to that subject, and it is understood to be the duty of the clerk to collect the general sense of the meeting. And on former occasions, when the proceedings of meetings for discipline were harmoniously conducted—when meetings constituting those meetings had no object in view but the welfare of the society, and no party views to promote, although difference of sentiment might appear, it was very rarely, if ever, found difficult for the clerk to collect the true sense of the meeting. But at the period alluded to, such was not the state of the case; and it very frequently happened that the clerk of the meeting would be a warm party man himself, who, in many cases, I suppose, would incline him to interpret the sense of the meeting, whether few or many concurred with him, as being in accordance with his own views.

Q. You have given what you call a statement of the relative numbers of those you call Orthodox and Friends in Burlington Quarterly Meeting; the proportion of that statement is made from your own knowledge?

A. I have in that statement mentioned the manner in which I was enabled to form the conclusion, and give the relative numbers. I suppose as there were four of us engaged in that service, it is likely mine was about an equal part.

Q. In what meetings did you yourself take the enumeration?

A. I, together with a Friend to assist me, made out a list of the members of Burlington Monthly Meeting, which was all that I took.

Q. How did you make out that list; from any list that had before been made out by that meeting, or was it a new list that you yourselves made?

A. Having a knowledge of all who were members of that Monthly Meeting, a list of the families was made out, and placed on either side of the question, as they appeared inclined to go.

Q. Do I understand you then that you had a personal knowledge of all the members of Burlington Monthly Meeting?

A. I would not wish to be so understood.

Q. Did you refer to any record of that Monthly Meeting, in order to ascertain the relative numbers of it?

A. No. The record was not in our possession. We should have been glad to have availed ourselves of it, as the best source of information; but as we had it not, we had recourse to what we considered next best.

Q. Can you furnish a copy of the list so made out by you, containing the names of the members, and showing how you classed them in making this enumeration?

A. I have not got the list with me, but believe I have it at my house as far as relates to Burlington Monthly Meeting; and expect I could procure the others; and at present, I see no objection to

furnished, if it be conceded that numbers are to govern in the

I would ask whether the list you speak of, as having been made by you, with the assistance of another Friend, shows upon its face the name of each member, and to what party he or she was classed, as being?

It is now some time since I examined the list; but according to my recollection, it is divided into columns; in one column is placed the name of the head of every family; in another, the number of male adults in that family who are with the Orthodox; and in another, the number of female adults, also with the Orthodox; in another, the number of minors; in another, the number of female minors, under the direction of the Orthodox heads of families: another column contains the number of male adults with Friends; another, the number of female adults; another, the number of male minors, another, containing the number of female minors, under the direction of heads of families, who are with Friends; and I think there is one column for neutrals, which, however, contains but a small number; as those who might have been so much so considered, were mostly counted with the Orthodox, according to their family connexions, and other circumstances, being likely to follow them that way. The names of the heads of families only were put; not the names of the other members of such families, but only the number. Each column is designated in the way I have mentioned. In making this list and enumeration, did you make a personal application to each person, to ascertain his or her sentiments, or what course did you pursue to ascertain that point?

No. We did not make a personal application; for if we had, and taken the sentiments of the members, with regard to the feelings or friendship which they individually had for the different sides of the division, I am well satisfied that the list on the side of Friends would have been very much swelled, or increased. But the list was made with a knowledge of the course, that they either from inclination or circumstances, did, or appeared likely to take.

If the relative number of those you call Orthodox and Friends in Burlington Quarter, is as nearly equal as you have stated, how is it that you say that two-thirds or three-fourths of the former numbers, attend the Burlington Quarterly Meeting, and that in some instances, they do not fall far short of being as large as before the separation? [See explanation in chief.]

I said so, because what I said, I thought to be the truth.

How do you explain this truth?

I account for it in this way: in the first place, Little Egg-Harbour Monthly Meeting, which, if my recollection serves me right, makes about one hundred and seventy of the number which we have conceded to the Orthodox side, and many of whom, owing to their distance from the Burlington Quarterly Meeting, but rarely attended it before the separation. The members of that Monthly Meeting therefore could have contributed but little to the size of the Quarterly Meeting, before the period alluded to. They are all now numbered with the Orthodox in the statement which I have given, and none with Friends; therefore, the Burlington Quarterly Meeting of Friends, with regard to its size, experiences but little diminution from this circumstance, while, at the same time, it makes the numbers upon both sides more nearly equal. Another cause which has had a very con-

considerable influence upon the size of our Quarterly Meetings. In the Friends generally feel a much deeper interest in their attendance of the Quarterly Meetings, since our Orthodox Friends left us, than before; and, consequently, I suppose there is a much more general attendance.

Q. How many of the members, residing within the limits of Egg Harbour Monthly Meeting, and who have joined themselves to Mount Holly Monthly Meeting, are included in your enumeration, as on your side?

A. I cannot *certainly* answer that question. I think I am not acquainted with more than six or seven. I really cannot now say whether they are included in that list or not; they may have been thus joined since the list was made out.

Q. You say that in the Yearly Meeting of Fourth-month, 1827, when a person was about to show why Samuel Bettle was not a suitable person for clerk of that meeting, he was rebuked by several of those whom you call Orthodox; what did that person allege against Samuel Bettle?

A. I cannot help but believe that that question is put again in language a little different from that used by me—[the witness refers to his former answer,] the question is, as to what this person alleged?

Counsel. Yes, that is the question.

Witness. He was not permitted to proceed far enough to make a full explanation of the nature of his objections: but I think he made some statements, or was about to make a statement, with regard to some matters which were coming up from Philadelphia Quarterly Meeting, to be acted upon by the Yearly Meeting, in which Samuel Bettle had taken part, and had acted as a *party* man. I think he was about thus far in his statement, when the storm arose of which I have spoken, and the true character of which I conceive impossible to be put upon paper; and to be fully understood, it would be necessary to see acted.

Q. Who was that person?

A. His name was Joseph Parker, of Philadelphia.

Q. Was the rebuke administered because of the expression of his opinion, as to the *fitness* of Samuel Bettle for the clerk?

A. I cannot conceive of any other cause: the state of the case as given in my former answer upon that subject, I however refer to.

Q. Did he mention the name of Samuel Bettle at all, or say anything about the clerkship, and if so, state what it was?

A. I do not recollect the precise words he made use of; but the conviction produced on my own mind, from what was said by him, identified the clerkship with the proceedings likely to come before the Yearly Meeting; and I have no doubt, but that it was the general impression, that Samuel Bettle was identified in what he did say, from the circumstance of the subject being then before the meeting, whether he should serve in the station of clerk, or not.

Q. Have you, or have you not, a distinct recollection, whether he mentioned the name of Samuel Bettle?

A. My recollection is not so distinct as to justify my speaking with positiveness; but my impression is, that he did.

Q. Was not he, Joseph Parker, making his statement to the Yearly Meeting, relative to the circumstances connected with the case of Leonard Snowden, which was then pending, for the decision of the Yearly Meeting?

A. I have stated before, that he was not permitted to make the statement which it appeared he intended to make, and therefore I cannot answer.

Q. You have stated, as you have justly observed, that the member was interrupted in his statement, but that he had gone so far as to show, or indicate, the object which he had in view; I would ask, whether before the interruption, he did not go so far in his statement as to refer to some case, which was then pending before the Yearly Meeting for its decision; and whether the rebuke was not founded upon the impropriety of his alluding to that case before it came *regularly* before the Yearly Meeting for hearing and decision?

A. I think he had gone so far as to allude to a case, or perhaps cases, which were likely to come before the Yearly Meeting for its consideration; and a part of the ostensible ground for the rebuke was what is supposed in the question: but I believe it was thought by many, that there was a much more important object in view, which was to prevent any thing from appearing, calculated to show circumstances which disqualified the Friend proposed, from serving in that station: and if this was the object, I believe the success of it was calculated to meet their desires.

Q. You have stated this as a *part* of the *ostensible* ground for the rebuke; was any other matter alleged upon that occasion, by those who uttered the rebuke, that will justify the inference you have drawn as to its object?

A. My reason for making use of the word *part*, was, that I recollect but very few of the expressions which were made on that occasion: and those which I do recollect, were of the character alluded to: those which I do not recollect might have been of the same character, or they might not. But the circumstances of the case altogether formed the ground from which I drew my inference.

[NOON.]

Q. Did not Joseph Parker persist in his course until several Friends, and some of his own party, requested him to desist?

A. According to my recollection, I think not.

Q. You have spoken of the rebuke, as marked with greater severity and unkindness than you had ever before witnessed; will you please to state, as nearly as you can recollect, the words that were so severe and unkind?

A. The severity of a rebuke does not always entirely consist of words; with regard to words I have not a sufficient recollection of them to warrant my giving them.

Q. None of them?

A. As regards the nature of the rebuke, I must refer to my former answers upon that subject. Among other things, I might mention, that after he had been put down in the manner stated, one of the individuals who had participated in it, with a *look*, that I am not competent to describe in words, and which I think it would be almost impossible to place upon paper, said to him, "I wonder thee is not ashamed to hold up thy head."

Q. Was there any such sentiment expressed in the Yearly Meeting of 1827, as that the representatives, if allowed further time, would be

able to agree upon the name of a suitable person to serve the meeting as clerk?

A. I think there was something of that kind said.

Q. By whom, and at what time?

A. I think I cannot name any individual in particular, having been now nearly four years since; but it was while the subject of the appointment of a clerk was under consideration.

Q. Did not several of the representatives state, that it would be useless for them to meet again, as there was no probability of their being able to agree?

A. I do not distinctly recollect: but am under the impression that something of that kind was alleged.

Q. Is it usual to discuss in meetings the qualifications of persons proposed for the station of clerk?

A. I don't recollect an instance of this kind ever having occurred, wherein the minor part of a committee to whom the service of nominating a clerk of a meeting, had ever before attempted to control the major part, as was understood to have been the case in this instance: but on the contrary, nominations of this kind which have been made to the meeting, have had the sanction of at least the greater part of such committees; and therefore, I know of no precedent, as regards usage. But the representatives in this case not having agreed on any name to present to the consideration of the meeting, and a *party* in the meeting with whom was the person acting as clerk at the time, not being willing to refer the subject again, the consideration of the subject seemed necessarily to devolve upon the meeting.

Q. Were you a representative to the Yearly Meeting that year?

A. I was not.

Q. Is not your position then, that a *minority only* of that body supported Samuel Bettle as clerk, an assumed one?

A. It is not an assumption without evidence.

Q. Have you any evidence derived from your own knowledge, of that fact?

A. I think I have better evidence for the opinion, than the counsel has been willing to take for an opinion on former occasions.

Counsel. That may be a fair *hit*, but it is not an answer to my question.

Witness. As I was not one of the representatives, I of course had no personal knowledge.

Q. In the Yearly Meeting of 1827, was there any name proposed for clerk, but that of Samuel Bettle?

A. I do not remember that any other name was proposed.

Q. Had not Samuel Bettle served the meeting as clerk for several years; and always been appointed without opposition?

A. He had served in that station for several years; but I am not prepared to say, without opposition.

Q. If there had been opposition to him, when and where was it made?

A. At a Yearly Meeting previously to the one alluded to, I was one of the representatives from Burlington Quarterly Meeting, to whom the subject of nominating a person for clerk, together with the representatives from the other Quarters, was referred: I am inclined to think that there was some apprehension that Samuel Bettle might not be agreed upon by that body as a suitable person for that station, from the circum-

nce of his being nominated in so hasty a manner as he was: hardly giving the representatives an opportunity to become seated. It became therefore necessary to dispose of this nomination before any other one should be given: or at least, I think, it would have been considered better out of the usual course of proceeding to do so. There were, however, some remarks made by one of the representatives upon the propriety of a change; whereupon John Cox, from Burlington Quarterly Meeting, observed, that he thought it was best to make no change at that time.

Q. Was this the only opposition to which you allude?

A. It is all that I recollect.

Q. Do you recollect at what Yearly Meeting this took place?

A. I do not recollect exactly the year; but I think it was 1825 or '26; referring to the record, I find it was in 1824.

Q. Do you recollect who made the opposition, and what reasons were assigned for a change?

A. I do not *certainly* recollect.

Q. As the representatives could not agree upon any name to propose at the meeting, did it not follow, in conformity with the usage of the Yearly Meeting, that the former clerks must serve until a new one could be appointed by general consent?

A. There was no usage as far as my knowledge extends, that had any application to the case. But in answer to the latter part of the question, the most *general* assent of the meeting should have been taken, and in that case, I believe that Samuel Bettie would not have been the clerk.

Q. You have stated, that the established usages of society require that when any new proposition was made to a meeting, in order to adopt it, the general concurrence of the meeting was requisite; would it not have been in opposition to this usage for the Yearly Meeting of 1827, under circumstances attending that meeting, to have changed its clerk without the general concurrence of the meeting?

A. In the state of that meeting, as a general concurrence, from what appeared, could not be expected, the most proper course, undoubtedly, would have been, that where there was a great difference as regards the members who differed in their opinions, that the judgment of much the larger part should have been consulted, and not that of much the smaller part.

Q. Without admitting what I consider as assumption, that the body of representatives opposed to Samuel Bettie was the major part of that body, has it ever been the usage of the society, to conclude any question depending before it by a plurality of voices?

A. The religious Society of Friends having but the one object in view, the promotion of the cause of righteousness and the good of the individual members, and no selfish or sinister ends to accomplish, had generally been preserved in great harmony and unanimity, and had but very rarely ever found any difficulty in deciding matters which came before them in their meetings for discipline. There was, therefore, no occasion to have recourse to plurality of voices; but there have, I believe, been many instances in the society when a recourse has been had to a measure of this kind.

Q. In their meetings for discipline?

A. I think so.

Q. When and where?

A. From records which I have seen of the proceedings, had in several Monthly Meetings, I think, which I have had the opportunity to examine, I think, the principle in particular cases has been sanctioned. And as my opportunities for examination have been very limited, I think it fair to presume, that many other cases of the same kind may have taken place elsewhere.

Q. Will you state the meetings and the cases where it has occurred?

A. In Chesterfield Monthly Meeting, New Jersey, on the 6th of Sixth-month, 1691, the following minute was made, viz: "the building of the meeting houses being taken into consideration, a meeting house on this side is generally agreed upon to be built, and the *greatest part* of Friends think best to have it at the grave yard." Concord Monthly Meeting, Pennsylvania, being applied to on First-month, 1725, by Friends of Caln particular meeting, to assist them as to the most proper place to erect a meeting house; 6th of Fourth-month, 1726, the Monthly Meeting addressed Caln Preparative on the subject of their request, to move the meeting house higher up the valley. "It is the mind of this meeting," (says the minute,) "that you consider a little longer of it, and get the unanimous consent of all that are likely to belong to that meeting, and bring their names to this meeting when you have so agreed;" and the committee was continued: and 3d of Eighth-month, 1726, a minute is recorded on the subject as follows, viz: "some of those Friends appointed to go and assist the Friends of Caln meeting reports they have been, and finds the *greater part* of them most inclinable to build their meeting house upon the further side of the valley upon the mountain: *therefore*, this meeting leaves them to their liberty to purchase a piece of ground according as they have proposed, and lay the same before the Quarterly Meeting for their approbation."—[Concord Monthly Meeting records, 1st vol. letter A, pages 224, 225, 226, and 227.] Bucks Quarterly Meeting requested the judgment of its Monthly Meetings, as to the propriety of again proposing to the Yearly Meeting to do away a certain rule of discipline, which it appears was not satisfactory to Friends of said Quarter, as appears from Bucks Quarter records, the 30th of Fifth-month, 1754; Middletown Monthly Meeting took the subject under consideration, and appointed a committee to confer and report thereon, as appears from Middletown records, the 6th of Sixth-month, 1754. On the 4th of Seventh-month, of the same year, the committee, composed of seven Friends, reported as follows:—"notwithstanding, we do not see the necessity of such a rule of discipline, yet as the matter went last year from our Quarter to the Yearly Meeting to be reconsidered, and occasioned a long and tedious debate, tending rather to divide than unite Friends, we are not desirous that it should go again from our Quarter at this time; believing a friendly condescension may prove the properest means of obtaining the most satisfactory conclusion in this matter; which is nevertheless submitted to the meeting by William Croasdale, and others; to which opinion the meeting not agreeing, it is ordered to be sent to the Quarterly Meeting as the opinion of the *greater part* of this meeting, that the matter should be again referred to the Yearly Meeting to be reconsidered." Bucks Quarter, held 29th of Eighth-month, 1754, states "that it appears to be the sense of the *greater part* of Friends, that it is necessary that it be again returned to the Yearly Meeting for reconsideration." It was accordingly sent up to the Yearly Meeting as the "*sense of the greater part*" of Friends, that said rule ought to be discon-

ued. In 1758, the Yearly Meeting agreed to consider at the next meeting, 1759, whether it would not be better to meet at Philadelphia together. In 1759, it was continued until 1760; when, as extracted from the book of discipline printed in 1797, page 138, the following appears: "the consideration of the place most proper for holding our Yearly meetings for business in future, now coming under the solid notice and thought of this meeting, and much time being spent thereon, and full opportunity given, for a free communication of Friends' sentiments, and the calming influences of gospel love being over us, it appears to be the *most general sense*, that as Philadelphia is the nearest central for the body of the society, it is therefore, the most convenient for that purpose." From these records, as well as others which might be produced of a like character, it appears that meetings for discipline have frequently found it expedient, when the meeting was not united, to take the *most general sense*, or the sense of the larger part of the meeting, as being safer than to take the sense of the smaller part, as the judgment of the meeting. There is, however, another practice in the society, which in my apprehension has a very close connexion with this subject. In the case where individuals have been disowned by a Monthly Meeting, and when they have seen proper to appeal to the Quarterly Meeting, the judgment there confirmed, and from thence taken up to the Yearly Meeting, and a committee has been appointed to investigate the matter, the majority of that committee always, and in every instance, as far as my recollection goes, have signed the report, and the decision of the meeting, I believe, has been uniformly in accordance with that report; and an instance in particular, which I recollect, when the committee on an appeal thus brought up to the Yearly Meeting, reported by a majority of but one over the half of their number; and although the case was one which excited very considerable interest, as being thought to be at the foundation of the difficulties which have since been experienced among Friends, and which became, therefore, a case in which the parties which have since appeared in the society, more strongly distinguished, each appeared to take a side. I say, notwithstanding such was the character of the case, and it was believed by those Friends who thought that the judgment of the Monthly Meeting in that case ought to be confirmed, that great exertions would be used by those who strove to have it otherwise, to get a majority in favour of so reporting. Yet while the subject was pending, and before the report came in, it appeared to be the sense of the most judicious part of Friends that I heard speak upon the subject, that although it was believed that much the greater part of the Yearly Meeting would be in favour of confirming the judgment of the Monthly Meeting as approved by the Quarter, yet if there should be a majority of the committee, who would report otherwise, it was thought it would be best to submit. Such a report as I have before mentioned, signed by barely one of a majority, was produced, in favour of laying aside the judgment of the Monthly Meeting as confirmed by the Quarter, in the case, and the meeting, true to the principle, acquiesced in it.

I might further add, while upon this subject, that so careful have Friends been, that the minority should in no case rule the majority, that instances have occurred where propositions have been referred down from the Yearly Meeting, or Quarterly Meetings, to the inferior meetings, in order that a full expression of sentiment might be had, and that a clear sense of all interested might be obtained, and the results thus

ascertained in the inferior meetings, to be sent up to the superior from whence the proposition had emanated, before any conclusion would be come to.

Q. In the first branch of your answer, you held in your hand a paper which I understood you to say, contained extracts from the records of certain meetings: did you examine the records of those meetings, and make those extracts yourself?

A. I did examine the records, and compared them with those extracts.

Q. In every case which you have read, and which has been taken down by the examiner?

A. I believe in every case.

Q. Have you given all that those records contained, in reference to each of the subjects you have treated of; or in other words, do those extracts contain all that the records of those meetings contain in reference to the subjects treated of in those extracts?

A. I do not recollect that any thing was omitted. There certainly was no design to omit any thing calculated to weaken the force of the argument for which those extracts were made or produced.

Q. My purpose is not to impute any such design to the witness as he has alluded to; but I would ask whether he himself examined those records further than to ascertain that the extracts he has read were correctly copied from them?

A. Yes; I did examine the records further than the query supposes.

Q. From that examination, did it appear that there was any vote, or count of numbers, taken and recorded on those minutes?

A. It did not appear upon the record, as far as I discovered. In what way the fact was ascertained, it was sufficient, as I apprehend, for it to state the fact as it stood.

Q. Does it appear by those records, by whom the sense of the greater number of Friends in the cases there alluded to, was collected?

A. I think there is no person named in the record who had a duty of that kind assigned to him, as far as I discovered.

Q. Did the records appear to be in the handwritings respectively of those who were clerks of those respective meetings, at the times the records in question purport to have been made?

A. I think most of those records to which I have alluded bear date, perhaps nearly seventy years ago; I had not an opportunity, therefore, of being acquainted with the handwriting of the persons who might have acted as clerks: and as I profess to have no knowledge of the handwriting of the clerks, I am unable to answer that question. They appeared to be ancient records, such as would very well justify the opinion that they had been written near the time of their several dates. I suppose, however, that those records were made by the clerks.

Q. Did you ever know or hear of a vote or count of numbers being taken in any meeting for discipline on a subject under its discussion?

A. According to the common ideas entertained with regard to voting, I never did.

Q. Does the society of which you are a member, recognise the principle of numbers or majorities as the ground of decision in its meetings for discipline?

A. When decisions have been come to, I believe the most general sense has governed, with the exception of many instances which occurred between the years 1822 and 1828.

Q. Do I understand you then as giving the opinion that that is the ground, with the exceptions you have mentioned, upon which the decisions of meetings have been founded?

A. As I observed in a former answer, when the society had but the one object in view, there was much harmony generally prevailing as far as my knowledge extended in meetings for discipline: there was no necessity to ascertain majorities or minorities.

Q. What was the ground of its decisions *then*?

A. As I have stated before, to promote the cause of truth and righteousness, and the good of the members.

Q. Has it not been always the uniform usage of the society for the sense of its meetings to be collected and recorded by their clerks?

A. I might refer to a former answer on that subject. I can answer, however, the question more specifically. At the period of the society to which I alluded, when harmony prevailed, there was but little difficulty in ascertaining the sense of the meeting by the clerk. Of latter time, previously to the separation, I believe the clerks in most instances were more or less inclined to the one or the other side of the controversy: and if they should make minutes in cases where party feeling prevailed, it would not be wonderful if in some instances they would record as such what was not the true sense of the meeting. Therefore, as regards the period last alluded to, I can lay down no rule, as it regards usage on that subject.

[The question is again read to the witness, when he says:] It has been, no doubt, the design of the society, that the clerks of their meetings for discipline should collect and record the sense of the meeting.

Counsel. I would remind the witness, that I do not think he has answered the question.

Witness. It was my design to give as full an answer to that question, as well as all others put in this examination, as is in my power to do: and if I have failed doing it in this case, it is not for want of willingness, but either I do not understand the question, or it is a want of capacity.

On the question being again read, he says that he meant to be understood as answering it affirmatively, with the exception of latter times, since the difficulties took place in the society.

Adjourned until to-morrow morning at 10 o'clock.

Saturday morning, March 19, 10 o'clock. Cross-examination of Charles Stokes continued. Present as before.

Question by Mr. Brown. When a subject is brought before a meeting of discipline, for its decision, has it not often happened that it was decided with the expression of the sentiments of but very few of the members present?

A. It has frequently happened, in cases of the kind alluded to, that but a small proportion of the members present, have expressed the sense of the meeting; as has been evidenced by the tacit consent of such as have not spoken. But never, to my knowledge, in opposition to the expression of the *larger part*.

Q. Has it ever been usual for *all the members present* to give a sentiment on subjects that come before meetings for discipline?

A. I presume it has not been the common usage, though they might have the *right* to do so.

Q. The question is, has it *ever* been usual? or did you ever know an instance where it was done?

A. I do not recollect an instance of that kind.

Q. You state, that according to the established usage of the Society of Friends, the clerk is the proper person to collect and record the sense of the meeting,—in performing this duty, did you ever know a clerk to count the speakers in favour of, or against, a proposition before the meeting?

A. At the time I stated that the clerk was the proper person to collect and record the sense of the meeting, my understanding of the subject was, and is, that his judgment was not imperative in the case; but that he is, or ought to be, the servant of the meeting: and if he, in recording what he apprehends to be the sense of the meeting, should record that for the sense which is not the sense, the record would be null, and of no avail, even though he might persist in retaining it. And although I am not aware that I have ever known a clerk of a meeting to make an actual enumeration, by either scoring down, or in any other way, as one, two, three, &c. yet, in collecting the sense of a meeting, I should think that he must necessarily balance numbers, in some way, in his mind, in order to arrive at a conclusion, as to what was the sense of the meeting.

Q. You state, that in the society of which you are a member, when decisions have been come to, the *most general sense* has governed,—how large a majority is necessary to constitute the *most general sense*? or is a bare majority on either side what you mean by that term?

A. That is a matter to be judged of by the meeting itself, according to the circumstances which may govern in the case. But never so as to justify a minority in forcing their measures upon a majority. When harmony prevailed in the management of the concerns of society, although a difference of views might be had on some occasions, yet Friends were disposed to cultivate a spirit of condescension and forbearance.

Q. If there is no enumeration of the speakers, for or against the proposition, how would the meeting, or the clerk, determine on which side the most general sense preponderated, in cases where the speakers were nearly equal in number?

A. I know of no more familiar way that I can elucidate this subject to the mind of one, who, like the counsel, has not been in the habit of attending our meetings for discipline, and thus seeing for himself how such matters are settled, than by supposing a case. If a proposition were now made for the adoption or rejection of the present company, who claimed to be members of the Society of Friends, who are now in this room, in which there was a difference in sentiment, and the counsel himself to act in the capacity of clerk, to gather and collect the most general sense—and to illustrate the matter further, we will suppose it to be a question of a party character, the two Friends were present, express their opinion on the one side, and the four Orthodox Friends, so called, should express their opinion on the other side, he can then readily conceive which he would consider the *most general sense*.

Counsel. There are but nine persons in the room—of course it would be easily ascertained in that way; but suppose there were five hundred?

A. In the case supposed by me, in my answer, being applied to a small number, in order to make the matter familiar, but the same me-

thod would be applicable in a degree more or less, to a larger number; though it would not be done, probably, with the same precision.

Q. Would your illustration be applicable in a case where a large assembly was collected, the speakers nearly equally divided, and no count of numbers?

A. The difficulties in such a case, as supposed in the question, would be very much increased, especially if there should be a disposition in the opposite sides of the question, each one to persist; and what course would be taken in such a case, as I am not aware that I ever witnessed such a one, is difficult for me to say.

Q. If a part of the meeting should contend that the *most general sense* was on one side, and the other part should contend that it was on the other side, on the principle you adopt, how would the clerk decide, except by a count, or taking the yeas and nays?

A. I think the case, I supposed, with regard to the number in this room, although not entirely applicable as regards numbers, yet may serve to illustrate the manner of arriving at a judgment; and if he had arrived at a wrong conclusion, and recorded it as the sense of the meeting, if twice as many disapproved of the record, as being the sense of the meeting as approved thereof, the record itself, I conceive, to all intents and purposes whatsoever, would, and ought to be a void record.

Q. How would you ascertain that there were *twice as many* who disapproved, without an actual count?

A. I have been very desirous to familiarize our practices in this respect to the comprehension of the counsel.

Counsel. It is not for the counsel that the question is put, but for the information of those who are to decide this cause.

Witness proceeds. And which I could have hoped would be sufficient information upon this subject for any *intelligent* minds. To answer further, I must acknowledge that it would be very difficult to make any person who has not been in the habit of attending our meetings for discipline, comprehend the manner in which conclusions are arrived at in such cases; further than what would be the conviction of any man, that the person who thus sought to arrive at a conclusion in the matter spoken of, would be under the necessity of exercising his rational faculties as a man.

Q. If the principle of majorities, or a count of numbers, is the ground of decision in meetings for discipline, would not the difficulty be removed at once by a count of the speakers on each side; and does not all the difficulty you speak of, arise from the fact, that the principle of majorities has never been recognised in the meetings for discipline of the Society of Friends, as the ground of its decisions?

A. The counsel has supposed in the question, what I apprehend I have not conceded to be the ground of decision in our meetings for discipline: and therefore this branch of the question, I apprehend, will need no further reply. As to the other branch, as regards the cause of difficulties, the question is not correct, as I apprehend, in its supposition; for the difficulties of which I have spoken, have, as I apprehend, been greatly occasioned by a minority in the society, seeking to govern the larger part.

Q. The difficulties to which the question alludes, are those growing out of the manner of collecting the sense of meetings, and of which

the witness has spoken, in his answers to some of the preceding questions?

A. The difficulties, as regards this matter, have been mainly occasioned, as I apprehend, not because the sense of the meeting could not be ascertained; but because the clerk was predisposed to act with a minor party in the meeting, and to record *their* will as the sense of the whole meeting.

The witness is again referred to the question, when he further answers:—In a case, such as was supposed in a previous question, where the meeting might be very nearly equally divided, as to the manner in which a conclusion would be arrived at, I think, under circumstances, where, as I stated, the different parties in the meeting should each refuse to yield, and be disposed to persist; although this supposes a case and state of things which I do not remember ever to have witnessed, at least previously to the year 1822; yet, in such a case, according to my apprehension of the true order of the religious Society of Friends, and what would be consistent with their professions and character for moderation and forbearance, that no step as regards business would be taken; but if they were bound by the testimonies held sacred by the society, they would not be disposed, brother to contend with brother, in the heat of party excitement, but they would say, “we disagree upon this question, we however have the same grand object in view, let us not therefore heighten the excitement by contention, for we are brethren; let us therefore return to our homes and our dwellings; let us reflect upon what we have done; let us endeavour to become humble in our minds, and as the truth is one, let us endeavour to observe its directions; and when we come together at a future time, we may then be enabled to see as eye to eye.” And if under such circumstances a disposition was continued in to persist, without adopting the course which I have supposed the correct one, it appears to me that a *division* of the society would very probably ensue. But that the difficulties would be lessened by a count of the numbers, I am not prepared to concede would take place on all occasions; for where a large society should be equally divided, or so nearly so as that one part should have a very small majority, and make the minor part on all occasions submit, it might create a state of things by no means agreeable. But I wish it distinctly understood, and placed upon the record, that this part of the answer, with regard to a division under such circumstances, being compared with the other cases alluded to, I consider to have no application to any state of society which has existed, only as I have mentioned in a former answer, but only by way of endeavouring to satisfy the counsel, with regard to a question which I thought had already been previously sufficiently answered.

Q. My question, as I have before stated, relates entirely to the difficulty which the witness says he finds in explaining the mode of deciding in the meetings for discipline of the society, to persons unacquainted with them; and whether that difficulty does not arise from the fact, that the principle of majorities is *not* the ground of decisions in those meetings?

A. The difficulty of explaining to the counsel, does very probably arise from that cause. But not the difficulty of deciding in our meetings for discipline.

Q. You admit then, that the principle of majorities is not the ground of decisions in meetings for discipline?

A. I think I have frequently before stated, in my former answers, the manner of arriving at decisions in our meetings for discipline. If it is necessary, however, I can again repeat it. The manner of arriving at decisions in our meetings for discipline, while the society, as I before stated, harmonized together, had but the one object in view, and no selfish or sinister ends to promote, there was, as can very readily be conceived, but very little difficulty. But when a party arose in the society, and sought to rule its decisions, let them be never so much in the minority, their sense could not be taken for the sense of the meeting. But frequently on occasions before the rise of this party, that I have alluded to in the society, where a diversity of sentiment prevailed in a meeting for discipline, it has been customary for the *general sense* to be taken, as the judgment of the meeting; and mostly there has been a spirit of condescension on the part of the minority, and acquiescence in the judgment of what appeared to be the *general sense*; but never perhaps, (with the exceptions before alluded to as to time,) did we see in our meetings for discipline, one-third, one-fourth, one-fifth, or perhaps even down to the one-twentieth part of the meeting, and perhaps in a proportion still more unequal, undertake to set up their judgment in opposition to the two-thirds, three-fourths, four-fifths, nineteen-twentieths, or still greater proportions, as the sense of the meeting; and afterwards to undertake to deal with and to disown them, and to appropriate the property which had been bought and paid for with the money of the members generally, and in many instances where the few thus instanced, would undertake to rule the majority—perhaps have contributed but a very small share towards the actual costs, to appropriate property thus obtained to their own use, or claim it as their own right, to the exclusion of those who had bought it, and principally paid therefor.

Adjourned, to meet at the same place, until Tuesday morning, at 10 o'clock.

Tuesday morning, March 22nd, ten o'clock. Cross-examination of Charles Stokes continued. Present, Mr. Price for Complainant, &c. and Mr. Sloan for Joseph Hendrickson.

Question by Mr. Sloan. I perceive by the close of the examination on Saturday, at which I was not present, a variety of questions relating to the mode of decisions in meetings for discipline; the witness appears to have given his views perhaps fully upon that subject, from which an inference may be drawn as to his opinion on that point; but the question does not appear to be directly answered; he must therefore pardon me for again inquiring whether the principle of deciding by majorities, has ever been adopted by the Society of Friends in their meetings for discipline?

A. I had thought that I had given my views upon that subject with sufficient clearness: if, however, that has not been the case, as it appears it is not, in the opinion of the counsel, I am willing to endeavour to give my views on that subject, as fully as I am capable. In the first place, I would wish it to be understood as having been the usage of the Society of Friends, that the principle of deciding in our meetings for discipline, has never in any instance been in favour of minorities. If this negative mode of answering the question, is still not satisfactory, although it may have a tendency to unnecessarily prolong this examination and extend the record, yet I know of no better way to give what has been the

usage of society on this subject, than by introducing what has been the practice of the society, as appears by its ancient records, in cases where it appears there was not unanimity among the members; and also by giving the sentiments of such as have been held of good authority in the society. And as regards the first branch of my proposed answer, perhaps I cannot do better than to give extracts from those records themselves; which tend to show, that in cases such as alluded to, it was customary to take measures to consult the whole body of Friends concerning it, even though they might not be present at the meeting, when the question was to be settled. Bucks Quarterly Meeting, held the 24th of Ninth-month, 1715, "thinks it may be of service that there be visitors appointed, but is left to each Monthly Meeting for further consideration, and to give their sense to next Quarterly Meeting." The case was continued under care of the Quarter until 30th of Sixth-month, 1716, when the following minute was recorded, "This meeting has pretty weightily considered and discoursed concerning the service of visitors, and both Monthly Meetings agree *pretty unanimously*, that it will be of good service; therefore this meeting orders that each Monthly Meeting choose both men and women Friends, qualified for the business, and go upon it with as much expedition as may be convenient." At the said Quarter, held 28th of Twelfth-month, 1739, it was proposed that there be but two Youths' Meetings, "which proposals are recommended to each Monthly Meeting to consider of, and then to bring their mind thereon to next Quarter Meeting, in their respective reports."—At the next Quarter, held 29th of Third-month, 1740, a minute on the subject is recorded in these words: "What was recommended from last Quarter Meeting to the several Monthly Meetings, about altering the meetings, being something discoursed, and it appearing by the reports to be *chiefly* the mind of Friends, that the said meetings should continue as they are at present—therefore agreed, they continue as at present they are." And at said Quarterly Meeting, held 31st of Sixth-month, 1749, the following minute was made—"the case recommended by the last meeting, to the several Monthly Meetings, for consideration, having been considered in the said meetings, and by the Falls and Middletown Monthly Meetings, reports, it is desired that it may be proposed to the Yearly Meeting for further advice therein; and by Buckingham Monthly Meeting's report it appears, that they submit the matter to the sense of the Quarterly Meeting: and the matter having been debated, it appears to be the sense of the *general part* of this meeting, that its best to be proposed to the Yearly Meeting for further advice therein." At Bucks Quarter, 26th of Sixth-month, 1725, a minute was recorded as follows: "By the abstract aforesaid," (meaning the yearly extracts,) "it also appears that in the London epistle it was proposed for an alteration in the time of the Yearly Meeting, which was referred to each Quarter Meeting to consider of, and of the conveniency or inconveniency which such an alteration may produce, which this meeting having duly considered, doth *agree unanimously*, that it will be best to continue as it is at present; for such an alteration as therein proposed, will produce several inconveniences." What the sense of the remaining Quarters were, I know not, but presume they were not in favour of the proposed alteration, as the Yearly Meeting continued to be held as usual in Seventh-month of each year. Which extract last made in particular, I think establishes two important points,—*first*, that the Yearly Meeting of Philadelphia

was independent, as regards any authority which was, or could be, exercised by any other Yearly Meeting, over its proceedings. The next point is, that the members constituting the Yearly Meeting, were considered as having an undoubted right to participate in its deliberations, and the *general sense*, when thus ascertained, should form the basis upon which its conclusions ought to rest. The Yearly Meeting held in Seventh-month, 1726,—“the proposal of the Quarterly Meeting of Bucks made last year for a meeting to be settled at Bristol on the second day of the week, at the time when the Yearly Meeting shall be held at Burlington, which lay under consideration, being now reassumed and debated, Friends of Bucks showing other reasons for the request, and conveniency thereof, because of the great numbers that cannot get timely over the ferry, and those of Jersey opposing it, under the apprehension of greater inconveniences in the business, and due attendance at the meeting in Burlington; therefore, in order that if such an appointment be, it may be done to *general satisfaction*, the same is still left to further consideration till the next year, since there is two years’ time before the meeting will be again at Burlington: and the several Quarterly Meetings are desired to bring up their minds therein.” The next Yearly Meeting, Seventh-month, 1727, the case was disposed of as follows: “The minds of the several Quarterly Meetings being brought up concerning the proposal for a meeting at New Bristol, which was left to consideration last year, and none appearing for it except that of Bucks, this meeting drops the consideration, and concludes it best, that no appointment be made for it at this meeting.” In addition to the foregoing cases which I have cited, there are various others of a similar character which might be adduced, going to establish the doctrine that it was not customary in those days, that the principle of minorities should govern in arriving at decisions in our meetings for discipline: but that great care was taken to ascertain the *most general sense*; and to prevent extending this record by placing at large upon it such extracts of a similar nature as might be given, I will refer to certain other minutes of Bucks Quarterly Meeting made at various times, to wit: Twelfth-month, 1726; Sixth-month, 1725; Sixth and Ninth-months, 1738; Ninth-month, 1744: these may be sufficient to show the care of society in this respect, so far as regards the ancient records; but very few of which I have had an opportunity of examining. I will now refer to the other part of my proposed answer: “In the solemn assemblies of the church’s service, there is no one presides among them, after the manner of the assemblies of other people. Christ only being their president, as he is pleased to appear in life and wisdom, in any one or more of them; to whom, whatever be their capacity or degree, the rest adhere with a firm unity, not of authority, but conviction, which is the divine authority and way of Christ’s power and spirit in his people.” [Peun’s Rise and Progress, &c. first works, p. 877.] The clerk is therefore not considered as the president of the meeting: he exercises no judicial authority; he is but the servant to record the *prevailing sense*, which always includes the *sense of the majority*. This, it is understood, that he collects, not by an actual count of numbers, as one, two, three, &c. or recording the yeas and nays, yet by an estimate of the *prevailing sense*, which the meeting after discussion usually settles with sufficient distinctness in one way or the other: but if the meeting should be very nearly equally divided, as regards numbers, the difficulty to the clerk might or would be greater; but the principle is not altered; that remains

the same. He is bound to take the prevailing sense of the meeting, or the sense of the greater number, if he records any thing, as the sense of the meeting; and whatever he does, or may record, is always subject to the revision or rejection of the meeting. Clarkson in his "Portraiture of Quakerism," 1 vol. p. 157, says, "When a subject is brought before them, it is canvassed to the exclusion of all extraneous matter, till some conclusion results: the clerk of the Monthly Meeting then draws up a minute, containing as nearly as he can collect, the substance of this conclusion: this minute is then read aloud to the auditory, and either stands or undergoes an alteration, as appears by the silence or discussion upon it, to be the sense of the meeting: when fully agreed upon, it stands ready to be recorded." This latter extract, although it be taken from an authority which has not, so far as I know, been recognised by the society, yet in this particular, I apprehend, it would be conceded by Friends generally, that he was correct. And to sum up the whole matter, I would further say, that if by the principle of majorities governing, as used as in contradistinction to minorities, I have no doubt but that such has been the practice of the society.

Q. Have you ever known an instance in which a question has been decided, or proposed to be decided, by an enumeration of those present, in a meeting for discipline, prior to the year 1827?

A. I do not recollect an instance of the kind mentioned in the question, either before or since that time.

Question by Mr. Brown. If a majority of the members of a meeting for discipline express themselves in favour of a violation of the discipline, or a departure from any of the principles of the society, and the minority are in favour of the support of that discipline and those principles, would the clerk be bound to record the sense of the majority?

A. That presupposes a case which, in practice, I presume, has but very rarely occurred, if ever; and in which the clerk is supposed to be infallible, as regards judgment. As regards the duty of a clerk in such a case, as he is the servant of the meeting, and inasmuch as it cannot be expected that he will have any other means of knowing or ascertaining what constitutes a violation of the discipline, or of the principles of the Society of Friends, than his brethren of equal opportunities, if he records any thing, he must record the prevailing sense of the meeting. But in cases such as is alluded to in the question, if such a one should occur, even if a larger part of a meeting for discipline should be in favour of a measure at variance with the discipline, yet the minor part, by having reason and justice on their side, and having no object in view but the due administration of the discipline, would much the most likely be enabled to convince the larger part who were in an error, and what was the minor part would now become the body, or majority of the meeting.

Q. If the minority in such a case could not convince the majority of the meeting, which must then prevail, the discipline, or what you call the most general sense of the meeting?

A. An intimate acquaintance with the proceedings had in meetings for discipline of the religious Society of Friends, would render this question entirely unnecessary; and as I cannot conceive that it can have any bearing upon the question at issue in this cause, I do not see the object, or the necessity of its being put. I will, however, give my views in relation to it. In such a case as that alluded to in the question wherein a meeting for discipline of the Society of Friends were thus circum-

tanced, and they were pursuing the objects of such meetings in a proper spirit in cases where they could not agree, there would be no record whatever made.

Q. If you hold the principle that majorities, or numerical force, constitutes the ground of decisions in your meetings for discipline, I wish you to state whether that, or the discipline, is paramount and conclusive?

A. I would ask the counsel first to point out where I have conceded such to be the ground of decisions.

Counsel. The question as framed does not positively assert that the witness has made such concession: I will, however, in answer to his request, state, that in several parts of his testimony, he has seemed to go to consider majorities as the ground of decisions in meetings for discipline, without having expressly said so in so many words: but in answer to his call, I will refer him to a part of his answer given this morning before I arrived, as especially connected with this subject:— "The clerk is therefore not considered as the president of the meeting; he exercises no judicial power; he is but the servant of the meeting, to record the prevailing sense, which always includes the sense of the majority."

Witness. In reply to what has been said, I would just observe, that I conceive there is a difference between what is understood as the duty of a clerk, and the ground of decisions in our meetings for discipline.

Q. I would ask then, do you wish to be understood as not admitting that majorities or numerical force is the ground of decisions in those meetings?

A. In a former answer relating to that subject, I consumed more time than I wished to do, in order that my full views upon this subject might be had: I think it not necessary, therefore, to recapitulate them here, but simply refer to them.

Q. The question is a distinct one, and a direct answer to it, either in the affirmative or negative, would require but few words: I wish the witness to state whether he does or does not admit *that* to be the ground of decisions, as before mentioned?

A. I am not surprised that it should be thought by those who are not acquainted with the manner of deciding questions in our meetings for discipline, that this question might be answered with a yea or a nay; but according to my apprehension, to give a person a clear understanding on this subject, it would be necessary that an individual should attend and see for himself; and then I think he would ascertain that it is neither upon the principle of majorities as majorities that we decide, nor upon the principle of minorities; and I apprehend it is because those who have advised this question having been in the habit of attending meetings for discipline, and understanding the nature of the case, and the difficulty of explaining it, so as to be fully comprehended by others; it is because of this apprehended difficulty, with a view rather to puzzle, and if possible, to give an appearance of evasiveness to the testimony, and not with a view to elicit any explanation either needed by themselves, or required in this cause, that this question has been put.

Q. I will leave the witness to consider how far he can reconcile the reflection cast upon the motives of those whom he supposes have advised this question, with a just and liberal feeling: I will, however, for myself say, that my only motive was to draw from him a direct answer to a question which I do conceive has a direct bearing upon the matters in

controversy in this cause; and I have now to request him to say whether I am to understand what he alleges he has said in answer to a former question, as all the information which he is capable of giving in answer to the question of which he complains?

A. With regard to the demand as to the manner of my reconciling what the counsel has been pleased to term reflections, with a just and liberal feeling, I refer only to the questions which have been put upon the subject of majorities, and the answers thereto given. As regards the counsel, to him I had no allusion, believing that he serves a hard master: and as regards the question itself, I am not aware that I can give any more full explanation than is contained in my foregoing answers.

[NOON.]

Three o'clock, P. M. This afternoon, Mr. Sloan is not in attendance.

The witness continues his answer. On a review of the question which was put before the adjournment, and which I thought, and which I still think, had been sufficiently answered, but which in my last reply this forenoon, I omitted to make any further reply to, I am willing, if it will afford any further satisfaction, to state, that the *sense* of a meeting for discipline is *always* expressed or taken by the majority, and never by a minority; and if it should so be that the construction which the meeting gives of the discipline be contrary thereto, it is to be presumed that their own reflections will correct them, and they amend it at a future time; and if it was of a character wherein an appeal would lie, and the meeting itself should refuse, on more mature deliberation, to correct the error, it might be corrected by the superior meeting.

Q. Is it not an acknowledged principle in the Society of Friends, that its meetings for discipline are religious meetings, and that when they are rightfully held, the great Head of the church is pleased to impart to the rightly exercised members, a sense and judgment respecting the subjects that come before them, and that this sense and judgment constitute the authority and governing principle of their meetings?

A. This is what I considered the true ground of decision in all our meetings for discipline: and what I meant to be understood as such, when I distinguished between what appeared to have been thought my concession, with regard to the ground of decisions on a former occasion, and the duties of the clerk.

Q. Does not the society consider that this sense and judgment are communicated to the religious and consistent members, rather than to those who give no evidence of submission to the restraints of religion, or who disregard some of the testimonies and advices of the society?

A. It is believed that the faithful and consistent members of the society, will be the most likely to receive suitable qualifications for concerns of this kind.

Q. According to the usage of the society, prior to the late difficulties, would the sentiments of the young and inexperienced members, who did not conform to plainness of dress or language, be regarded as having the same weight of influence as those of the experienced and consistent members, who were devoted to the promotion of the cause of truth, and the interests of the society?

A. The weight or influence of the sentiment delivered would depend on the authority accompanying it, and the conviction it was calculated to produce.

Q. Does not Clarkson in his "Portraiture of Quakerism," which you have quoted from, convey a clear view of the meetings for discipline of the Society of Friends, when, in speaking of their institution by George Fox, he says, "in these courts or meetings, the poor were to have an equal voice with the rich, there was to be no distinction but in favour of religious worth, and here it is to be remarked that he, [George Fox,] was so desirous that the most righteous judgment should be pronounced upon any offender, that he abandoned the usual mode of decision in general so highly valued, by a majority of voices, and recommended the decision to be made according to the apparent will of the virtuous who might be present."—[page 178, vol. I.] "But in whatever way the question before them is settled, no division is ever called for, no counting of members is allowed, no protest is suffered to be entered; in such a case there can be no ostensible leader of any party, no ostensible minority or majority. The Quakers are of opinion that such things, if allowed, would be inconsistent with their profession: they would lead also to feuds and divisions, and ultimately to the detriment of the society."—[p. 278.]

A. I believe that Clarkson, in the extracts quoted, has given a correct view of our meetings for discipline, in this respect, when properly conducted.

Q. Does not Robert Barclay truly express the sentiments of the Society of Friends, when he says, in his treatise on church government, "if so be, in such a church, there should arise any difference, there will be an infallible judgment in the spirit of God, which may be in a general assembly, yet not limited to it as excluding others; and may prove the judgment of the plurality, yet not to be decided thereby, as if the infallibility were placed there, excluding the fewer." [page 98.] And again, when drawing a contrast between the church government of the Society of Friends, and church of Rome, he gives as one of the marks of distinction that the latter "*decide by a plurality of votes*;" and also between Friends and other Protestants, that the latter hold "the decision is to be by *plurality of votes*," without any necessary respect to the inward holiness, or regeneration of the persons. [page 96.] Whereas, the Quakers hold "that in the true church of Christ, according to the description above given of it, there will in such cases of differences and controversies, still be an infallible judgment from the spirit of God, either in one or other, few or more."—[page 101.]

A. The views of Barclay as contained in those quotations, are such as are held by the religious Society of Friends; which does not, however, preclude the general sense of the meeting from being in accordance with the qualifications which he [Barclay] states as requisite to a correct decision.

Q. You spoke in a former answer, of an appeal which was before the Yearly Meeting, and excited much interest among the members; who was the appellant in that case?

A. I am not now prepared to say whether it was the case of Ezra Comfort or of Isaiah Bell, both of whom had been disowned by the same Yearly Meeting, I think, and for very nearly the same offence; and who both appealed to the Yearly Meeting at the same time. It was in either one or the other of those cases.

Q. Is the clerk of a Yearly Meeting deprived by his station, from taking a part in the discussion of subjects that may come before his own

Quarterly Meeting, and be referred from that meeting to the Yearly Meeting?

A. I think not.

Q. Does his taking a part in the discussion of such subjects, or expressing a sentiment upon them, disqualify him from acting as clerk of the Yearly Meeting?

A. I should think that very much depended upon what those subjects were, and the part he had taken in the discussion in the Quarterly Meeting. If he had been active in cases of a *party* character, and as a *party* man, I can very readily conceive that he might thereby be disqualified from having the confidence of the Yearly Meeting; and not, therefore, be a suitable person for that station.

Q. When a new Yearly Meeting is about to be established, has it not been usual first to obtain the consent of the Yearly Meeting, a part of whose members and meetings are to constitute the new one?

A. My knowledge in that respect is limited; but I am inclined to think that it has been so, of latter time. The Yearly Meeting of Philadelphia, however, according to the knowledge I have of its institution, was first established at Burlington, about the year, or in the year, of —, without the consultation or approbation, as expressed, of any other Yearly Meeting.

Q. Was Burlington Yearly Meeting, at that time, within the limits of any pre-existing Yearly Meeting?

A. I am not enough acquainted with the history of the establishment of the other Yearly Meetings of the Society of Friends, to know which had precedence in their regular order, as to time; but if there were but one Yearly Meeting at that time in the whole society, my view is, that all the members of that society might be considered as within the limits of that Yearly Meeting.

Q. Within the last century, do you know, by historical knowledge or otherwise, of any instance in which a new Yearly Meeting has been established without such consent as is before referred to, being first obtained?

A. I must plead my want of knowledge on this subject, for giving no information thereon.

Q. Is not the property belonging to the Society of Friends, so far as you know, held in trust for the use and benefit of the religious Society of Friends?

A. So far as I know, the property is held in trust for the different meetings in the religious Society of Friends; or for the use of certain institutions under their care.

Q. You have spoken of offers made by those you call Friends, for an amicable adjustment of the difficulties respecting property,—did not those offers assume that the persons making them were the Society of Friends?

A. I think it was the design in the cases to which I have alluded, to place those addressed upon a footing as nearly equal with those who addressed them, as it was thought would be safe; recognising in them the possession of rights as members of the Society of Friends, and claiming to themselves the same character and the same rights.

Q. Did those offers recognise the meetings of those whom you call Orthodox, as meetings of the Society of Friends, or were they addressed to them as individuals only?

One of the overtures alluded to in my testimony, was not addressed to individual persons, but to a meeting which was held by; the precise character of which address I do not now bear in mind. Another of those overtures was made, as I have already mentioned, in a Preparative Meeting, previously to the separation, when members on both sides were present—the other overture to which I have alluded is in evidence, and I refer to it.

As to the overture first alluded to in your last answer, as far as you can recollect, was it addressed to those to whom it was addressed, as to a meeting of the Society of Friends?

The precise character of that address I do not now recollect; but much I do recollect, that there was a great deal of care taken, and concern felt, that the address and overture should be as little objectionable as possible, and so as to be the least calculated to excite any painful feelings, and the best calculated to promote the object which contemplated. But after the manner in which those of our Friends who are called Orthodox had conducted themselves towards us by their *gross* and *absurd* visits, and *foolish* papers which they published, the character of testifications, and either carried them or sent into our families, contrary to what we believed would have been dictated by the true spirit of the gospel, of which they made profession, which ought to characterize all the proceedings of the religious Society of Friends. After we had had such evidence as had been abundantly furnished, of the departure of the kind above alluded to, I suppose that we did not, as we could not, consider them as being in the character which can only constitute a true Friend.

To return to the subject—of what Monthly Meeting were the persons to whom that overture was addressed, members?

They were members of Burlington Monthly Meeting.

Did not you, who addressed that overture to them, claim therein Burlington Monthly Meeting?

I suppose it was signed on behalf of Burlington Monthly Meeting.

If the property of the society is held in trust for its use only, can it, consistently with the discipline, be applied to any other uses?

I think not.

Did not those whom you call Orthodox object to the acceptance of the offers you have mentioned, in consequence of your having assumed to be offers that you were the Society of Friends, and which they (whom you call Orthodox) could not conscientiously admit; and did they conceive that an attempt at a division of the property would be a violation of those parts of the discipline which require the performance of trusts, and that all gifts and legacies be strictly applied to the uses intended by the donor?

I believe they did not object for the reason then first assigned: but as we did not feel free to give them the character which, if we had it had been only out of courtesy to them, and not because we thought they merited it, from what we have discovered in the course of examination, of the disposition which is manifested on every occasion when they have an opportunity to take advantages, there would have been no occasion to have insisted any further upon our rights. As to the latter part of the question, their being conscientious in the matter, that they were so much bound by their regard for the discipline, as to be them willing to disregard justice, and trust rather to the issue

of a suit at law, rather than be governed by that part of the discipline which requires that all our differences be settled in a different way, in such an inconsistency, that I could not readily bring myself to believe that many of them, at least, either do, or would, seriously persist in it.

Q. The question is not answered—the witness appears to me to have lost sight of it, from what I do not know how to designate more mildly than a disposition to find fault with those he calls Orthodox. The question is, *what objections* did they make to the acceptance of those officers you have spoken of?

A. We received no reply from them.

Counsel. I knew not whether they replied or not; that answers the question. Have your meetings *dealt with*, or *disowned*, any of those whom you call Orthodox?

A. Not as far as my knowledge extends, I think.

Q. They are then members of the Society of Friends?

A. They never have been *disowned* from the Society of Friends by any regular process under the discipline; but their conduct, on many various occasions, as has been detailed in the foregoing examination, and it is believed, was the means of producing a separation in the Society of Friends. Friends, under those circumstances, thought best not to increase the difficulties that were the consequence of this separation, by undertaking to pursue them with church censures; but inasmuch as a large part of the society thought best of associating by themselves, Friends were willing that they might enjoy all the happiness, and all the comforts, which their situation was calculated to afford them, untroubled by any pursuits of ours. And we think, that if the same feelings of tenderness, and of brotherly love, had been extended on their part towards us, many unhappy circumstances, which have since occurred, would not have taken place; and this appeal to our courts for decisions would not have been made. We are willing therefore to consider, or to admit, that *in part* they are members of the Society of Friends; so far as regards their rights to the property, and so far as they have conducted according to the principles of the society, so far they are in unity with it.

Q. Is there any mode by which a member of the Society of Friends can lose his rights of membership, whether as regards property or other consideration, but by a voluntary resignation of those rights, or disownment?

A. When the society was preserved in harmony, these perhaps were the only modes by which a member might lose his rights; the late division which has taken place in it, has been attended by many circumstances which were not contemplated by the discipline, and whatever opinion I may give, therefore, with regard to the rights of members under this new order of things, I wish to not be considered as establishing any principle that is not otherwise established; and with regard to which, I have but very little reflected.

Q. Are there any other modes than those supposed in my question recognised in the discipline of the society, by which a member can lose his rights of membership?

A. There are no other modes, that I am aware of, mention discipline. But as I observed before, the discipline never contemplated such a state of things as has been witnessed. It may, therefore,

naturally be supposed, that it is not entirely applicable to every circumstance.

Q. Is there any other mode by which a member can lose his rights of membership than those I have supposed, prescribed in any system of discipline, which has been established since the separation, if any such system has been established?

A. I know of none such.

Q. If those whom you call Orthodox are justly chargeable with the offences you impute to them, would not the faithful maintenance of the discipline require that they should be dealt with, and if not reclaimed, be disowned?

A. I think, under ordinary circumstances, it would. But for the reasons given in a former answer, it was thought best not to do it, under the late extraordinary circumstances.

Q. Do the clerks of Monthly and Quarterly Meetings usually keep in their possession the book in which are recorded the minutes of the meeting, for which they act as clerk?

A. I believe that is customary.

Q. Who is the clerk of what you call Burlington Quarterly Meeting?

A. Amos Bullock is the present clerk.

Q. Has he the records of that meeting, since the separation, in his possession?

A. He has.

Q. He is of course one of those whom you call Friends?

A. Yes.

Q. Who is the clerk of what you call Chesterfield Monthly Meeting?

A. I do not know.

Adjourned until ten o'clock to-morrow morning.

Wednesday morning, March 23, 1831, at ten o'clock. The testimony of the witness on his cross-examination was read over to him. Present the same as yesterday (except Mr. Sloan.)

The witness makes the following corrections.

In answer to a former question, I have said, that "the established usage of the society required, that when any *new* proposition was made to a meeting, in order to adopt it, the general concurrence of the meeting was requisite." I now add, that the proposition to adjourn the Quarterly Meeting, spoken of in that answer, was a new proposition; and that the continuing of the meeting was not a new proposition—I considered that as no proposition.

The witness proposes to extend his answer to a former question.

Mr. *Brown* objects to the course proposed by the witness, if in so doing he shall introduce new matter, or any new and distinct idea not embraced in the question, and which would more properly be elicited by a re-examination in chief.

The witness proceeds: I would prefer it should be taken down as a further answer to the question; and what I have to say, is this, that it would not be in opposition to the usage for the meeting to have changed its clerk, for at that time the meeting had no clerk; he having been chosen for a year, and that time having expired when the proposition was made, and a minute made in accordance with the sense of the meeting, appointing a new clerk.

[NOON.]

The witness continues:—I meant to say that the meeting at that time had no clerk who had any duty to perform, further than to record the sense of the meeting as to who should be its future clerk.

Previously to the witness proceeding to give his further answer, above recorded, and after the objection of the counsel, (Mr. Brown, which has been noted, the examiner advised the witness, that the object of thus reading over the testimony, was to enable him to explain any part of his testimony, if in his apprehension he had answered obscurely, or not with sufficient clearness; and to correct any manifest mistakes; but that it would not be proper for him to enter into details of new matter, and introduce new subjects not embraced in the question or answer thereto which he proposed to explain, while he is still considered upon his cross-examination. Nevertheless, if he considered himself bound to give, or insists upon giving such statements or details, they will at his request be placed upon the paper.

After repeating to the witness the above direction, he requests that the following be here taken down, which he reads from a MS. in his hand. "That I may not be misunderstood in what I have said as constituting the true ground of decision in our meetings for discipline, I wish to add," (I dispense with the paper, and quote from Barclay on Church Government, pages 84 and 85 :) [laying aside the paper and reading from the book,] "The only proper judge of controversies in the church is the spirit of God; and the power of deciding lies solely in it, as having the only unerring, infallible, and certain judgment belonging to it; which infallibility is not necessarily annexed to any persons, person, or place whatsoever, by virtue of any office, place, or station any one may have, or have had in the body of Christ; that is to say, that any have ground to reason thus; because I am, or have been such an *eminent member*, therefore my judgment is infallible; or because we are the greatest number; or that we live in such a noted, or famous place, or the like; though some of these reasons may and ought to have their true weight in cases of contradictory assertions, yet not so (as shall hereafter be observed,) as upon which either mainly, or only, the infallible judgment is to be placed, but upon the spirit, as that which is the firm and immoveable foundation." I will also quote from the same work, page 106—"But if any will further object, what if it fall out *de facto* that the teachers, elders, or plurality do divide, and from thence will say, this is like the church of Rome, and other false churches; it will be hard to prove that to be an infallible mark of a wrong judgment, as we have not said it is of a right; and indeed, to conclude it was so, would necessarily condemn the church in the apostles' days, where we see the teachers and elders; and so far as we can observe, the greater number did agree to the decision. [Act i. 15.] For if the thing be right, and according to truth, it is so much the better that the elders and greater number do agree to it; and if wrong their affirming it will not make it right: and truly a gathering where the elders and greater number are always, or most frequently wrong, and the younger and lesser number right, is such as we cannot suppose the true church of Christ to be." I will further remark, that in my apprehension, the above extracts contain the true ground of decisions in meetings for discipline. Sentiments communicated under this authority can only be judged of by the meeting itself; and although few may be engaged in the expression, yet the meeting, by adhering to them, con-

a conclusion. It then becomes the duty of the clerk to record such the decision of the meeting. It is not presumed that in the clerk is cessarily the infallibility of judgment, but that this is the rather posed by the meeting; and when expressed, it becomes his duty to record it.

I would make some further remarks with regard to the rights of membership of our Orthodox Friends. I would add, that we consider that ~~by~~ have sufficiently separated themselves from the Society of Friends release us from any responsibility with regard to them. We have ~~on~~ willing to hope, that in time they would see their error; and the ~~or~~ being still open, that they would return again, or at least many of ~~em~~, to the bosom of the society.

The counsel for Joseph Hendrickson having rested the cross-examination, and the counsel for the complainant and Stacy Decow, alleging that ~~has~~ no further questions to ask, and the witness having closed his ~~planations~~ and additional statements, the testimony of the said Charles ~~Stokes~~ is now closed.

CHARLES STOKES.

Affirmed as aforesaid, and subscribed this twenty-third day of March, ~~thteen~~ hundred and thirty-one, at the house of William Ridgway, in ~~under~~, in the county of Gloucester, before me, J. J. FOSTER,
Master and Examiner in Chancery.

JOHN BARROW, of the city of New York, a witness produced on the ~~rt~~ of the complainant and Stacy Decow, alleging himself to be ~~con~~ditionally scrupulous of taking an oath, and being duly affirmed according to law, on his solemn affirmation, declareth and saith:

Question by Mr. Price. What is your age?

A. Sixty-four.

Q. Are you a member of the Society of Friends?

A. Yes.

Q. How long have you been so?

A. I had a birthright in the society, my parents both being members.

Q. Has there been a separation or secession from the New York Yearly Meeting, within your knowledge; and if so, by whom?

A. There have a number of those called Orthodox who have left the ~~ciety~~ or Yearly Meeting, of which I am a member.

Q. When?

A. In the year 1828, I think.

Q. Did the greater number of members and representatives of that ~~dy~~ continue together, and hold the Yearly Meeting in the usual manner?

A. I may answer, in short, they did.

Q. Has that same Yearly Meeting been annually held ever since as ~~in~~?

A. It has, in the same house, and time of holding it.

Q. Did the clerk secede with those called Orthodox, in 1828?

A. I consider that he did, by leaving the meeting.

Q. Did the meeting concur in the minute that he read before, or as ~~left~~ the house?

A. The meeting, in consequence of the disturbance, I believe, did not ~~lerstand~~ what the minute contained; they could not hear it.

Q. On that occasion, did Elias Hicks call upon the meeting to hear ~~minute~~, or that it should prevent his reading it?

A. He distinctly requested the meeting to hear the minute; and then they could judge of its contents, whether it was an adjournment or not.

Q. Had the clerk assured the meeting that it was not a minute of adjournment?

A. All I heard on that subject was, Elias Hicks remarked that the clerk said it was not a minute of adjournment.

Q. Did the clerk explain to the meeting, that it was a minute continuing the sitting elsewhere?

A. I heard no such explanation.

Q. Did the meeting understand that he was making a minute, characterizing Friends from Pennsylvania as separatists, and disorderly intruders, and agree to any such minute?

A. I cannot answer that question. As I before observed, the noise was so great, that it was impossible where I sat to hear what the minute did contain.

Q. Did those who separated seem to understand its import?

A. It was my impression they did, at least many of them.

Q. Did they retire voluntarily, or were they expelled by physical force?

A. They retired voluntarily, and no physical force was made use of, that I observed. I saw nothing like it—and I sat in a situation that I think I should have observed it, if any such thing had occurred.

Q. From what you observed, did the clerk seem prepared to act impartially for the meeting at large, or for those that separated only?

A. My impression was, that he did not act impartially; that he did not act as the servant of the meeting; or what appeared to me to be the prevailing sense of the meeting at that time.

Q. When the difficulty was raised by Thomas Shillitoe, in respect to Friends from Pennsylvania having seats in the meeting, was it not proposed as a means of avoiding any difficulty, that Friends of both parties from Pennsylvania should be permitted to sit?

A. There was such a proposition made by an individual of that meeting.

Q. Was it usual for *foreigners* to be the *first* to interfere in a matter of that importance?

A. I think not.

Q. Had it been usual for the clerk of that Yearly Meeting to bring a blank book instead of the minutes?

A. It has always been the practice, I think I may say during the forty years that I have been a member of that Yearly Meeting, and it was my practice, when acting in that capacity, always to bring the book of minutes, and the reports from the Quarterly Meetings, to the meeting during its first sitting.

Q. When clerk of that and other meetings of the Society of Friends, have you, or not, found it to be your duty to take and record what appeared to be the prevailing sense of the meeting?

A. I always considered it my duty so to do.

Q. Was the under story of the house occupied by the Yearly Meeting spoken of, in charge of the regular committee who had the care of the property?

A. I believe it was.

Q. From what you had seen, in the select meeting of ministers and elders, held immediately before that Yearly Meeting, or elsewhere, was

, or not, apparent, that a separation was intended by the party that did accede?

A. As an individual, I thought there was sufficient evidence, by what occurred in the select meeting previous to the Yearly Meeting of discipline, that such was their intention.

Q. What proceedings had occurred in that meeting of an unusual character?

A. They had made the same objections to individuals sitting in that meeting, that occurred in the meeting for discipline. And there appeared to me an evident determination on their part to carry that point, or divide the society.

Q. What took place in respect to the appointment of the clerk of that select meeting?

A. The usual minute was made at the close of the first sitting of that meeting, calling on the representatives to stop at the rise of it, to consider of, and propose the name of a Friend to serve as clerk, to the afternoon sitting of that meeting. On the opening of that meeting, one of the representatives informed the meeting, that they had agreed to propose John Barrow as clerk, the present year. Soon after which, another of the representatives signified that that was not the choice, or the one agreed to be proposed by them; this occasioned considerable observation on the part of individuals, both claiming to be a majority of the representatives. As there appeared to be no choice on the part of the representatives, it became the duty of the meeting to appoint one for that sitting; but there was a very great diversity of sentiment, and no decision could be come to, in the unity. I wish to confine myself to matters of fact, and what I know myself, and not to state what I have learned from hearsay—I don't wish to do that—I mean as to what took place with the representatives.

Counsel. We have admitted in this examination, of what is matter of general repute; if what the witness has in his mind is of that character, it can be given.

Witness. I was not one of the representatives; but understood from several of that body, that immediately upon their sitting down to consider of a clerk, and before they could have been considered as well settled into a quiet, a Friend stood up, and proposed the name of Joseph Bowne, to serve the meeting that year as clerk. This was immediately acceded to by a considerable number. There were a number, however, that objected to it; but the Friend who first proposed the name of Joseph Bowne, remarked that the representatives were agreed, and proposed that they should immediately withdraw. This, as I understood, was not satisfactory to the greater number, and they were not disposed to submit to it. They kept their seats, and agreed, after the others had left, as I understood, that one of their number should propose my name, which was done as before mentioned, at the opening of the meeting. I give this merely as evidence of a preconcerted plan.

Q. Who had stood in the appointment of clerk to that meeting, from the previous year?

A. I stood as clerk for the previous year, and for a number of years previous thereto.

Q. What was the result in that meeting, of the conflicting nominations?

A. The result was, that no conclusion was come to, at that sitting,

further than that a minute was made, that the clerk then at the table should continue until the meeting was united in the appointment of one; that is to be understood, as until the next sitting of the meeting. At the next sitting, which, if I remember right, was on Fifth-day following; I am not quite clear whether Fourth or Fifth-day, but think it was Fifth-day following; it appeared that in the meeting for discipline those who are generally denominated Orthodox Friends, had left the meeting, and had met separately at another house, called the "medical college." Soon after the opening minute was read, of the select meeting, it was proposed by a member, that that party, as before denominated, should retire to a remote corner of that house, of the room where we sat; a number accordingly went there, and as I understood, made a minute concluding to meet in the basement story of that house, in Rose street. According to my impressions, especially when we take into consideration that there was a considerable number from other Yearly Meetings on this continent, and in Europe, or England, (England most properly,) there was the largest proportion who kept their seats, and staid behind, of the members of our particular Yearly Meeting.

Q. While the diversity of sentiment prevailed at the previous sitting, as to the choice of clerk, you did not feel yourself authorized to make a minute continuing the old clerks for another year?

A. I did not.

Q. After the separation of those who withdrew, whom did the meeting agree upon for their clerk?

A. They appointed myself to that service.

Q. You have spoken of the fact of the separation from the Yearly and select meetings of New York; what were the prominent causes which led to that result?

A. The prominent cause, I believe, which led to the separation at that time, or at least the only one that was mentioned at the meeting, was, that there was a number present who had been *disowned* as they alleged, that were then sitting in the meeting.

Q. *They*, the Orthodox party do you mean?

A. Yes. This, however, was not sustained or conceded to by the general voice of the meeting. They were invited by individuals to keep their seats; that according to the usual order and practice of that meeting, the epistles would be read from the different Yearly Meetings; and it being well known that the separation had taken place in Pennsylvania, the question of the right of those members to keep their seats who had been objected to, would be determined, by the acceptance or rejection of epistles from what was understood was called two Yearly Meetings, one composed of the Orthodox, and the other of Friends. But they were not disposed to wait for this, and separated, or left the meeting house.

Q. Had the meeting been furnished with any official evidence satisfactory to itself, of the facts alleged by the Orthodox party?

A. I believe I may safely answer that in the negative.

Adjourned until 10 o'clock to-morrow morning.

Thursday morning, 24th March, 10 o'clock, A. M. Examination of John Barrow, continued. Present as before.

Question by Mr. Price. Did the New York Yearly Meeting, of 1828, receive and answer the epistle from the Yearly Meeting of Pennsylvania, &c. held on the second Second-day of Fourth-month?

A. They received two epistles, one from the Yearly Meeting of Friends held in Green street; another from the Yearly Meeting of Philadelphia, which I expect was held in Arch street. They were both read in the meeting, and a committee appointed as is usual in such cases, to prepare answers. If my memory serves me correctly, the epistle from the Yearly Meeting held in Green street, was only answered: yet I am not quite clear in my recollection as to this fact, whether the other was answered or not; whether they did not take some notice of it and prepare a short answer; but I rather think not.

Q. Have the Yearly Meeting of New York, and that of Pennsylvania, which held at Green and Cherry streets, continued since to correspond?

A. They have.

Q. Were those persons, whose names were rejected in the Westbury matter, as representatives to the Yearly Meeting of New York, of 1828, in disunity with their meeting, on account of proceedings adverse to the order and harmony of the society, which had previously claimed the attention of their Monthly and Quarterly Meeting?

A. I believe that was the ground of the objections which were made to their appointment.

Q. Are Friends in general the greater in number in the meetings composing the New York Yearly Meeting?

A. They are, I believe, with a few exceptions.

Q. Can you give the aggregate numbers of the respective parties within that Yearly Meeting limits?

A. Perhaps it may be right to state, that in the year 1828 or '9, the Meeting for Sufferings sent a circular to all the Monthly Meetings composing the Yearly Meeting, requesting them to appoint committees in each meeting, to examine carefully the number of Friends composing each Monthly Meeting; designating the number of Friends, the number that had separated, and held separate meetings, and also those who remained neutral: the result of which was sent down to the Meeting for Sufferings, and signed officially by the clerk of each Monthly Meeting; a copy of which result I here exhibit.

The witness produces the statement referred to, which is offered in evidence on the part of the complainant and Stacy Decow, and is marked by me Exhibit X. [See Appendix.]

The witness continues his answer—Perhaps it may not be improper to remark, that there is no return from two or three of the Monthly Meetings; there may be more possibly than two or three, but I rather think that is the extent.

Q. Although Friends have generally been the greater in number, have they been willing to obey the dictates of natural justice, and offer to those who separated a proportionate share of the property.

A. In the Monthly Meeting of New York, the day on which a considerable number separated and left the meeting, a proposition was made by an individual to the Monthly Meeting, observing that although they had separated and left the society, he thought they were in justice and equity entitled to a share of the property, according to the numbers. His sentiment was united with by the meeting, unanimously, so far as any sentiments were expressed, and a committee was appointed to hold themselves in readiness to confer with those who had so separated and left the meeting, on the subject, a copy of which minute I shall beg leave to offer as an exhibit at a future time; I have it not with me at present.

The Meeting for Sufferings, took a similar step, as regards the property belonging to the Yearly Meeting; as by a copy of a minute of that meeting, which I now offer as an exhibit, will appear.

The copy referred to by the witness is offered in evidence on the part of the complainant and Stacy Decow, and is marked Exhibit Y. [See Appendix.]

The witness proceeds—This minute now exhibited was handed to a number of those considered the most influential characters which had separated from us, in the city of New York, and also sent to many of the like description in different parts of our Yearly Meeting. No notice, however, was taken of it, in any official way, to us. A minute, however, or an epistle, directed to the Quarterly, Monthly, and Preparative Meetings of Friends, within the limits of the Yearly Meeting of New York, and signed by Samuel Parsons, by direction and on behalf of the Meeting for Sufferings, held in New York, the 22nd of Tenth-month, 1828, in which is contained this concluding paragraph; after many other excellent observations relating to their peculiar situation, the paragraph is as follows, viz: "And thus will you be restrained from even desiring to purchase ease by a sacrifice of principle, and compromise in relation to property, with those whom we cannot admit to be of our religious faith and communion; by which your hands would be greatly weakened in the exercise of the discipline of the society." [The paragraph thus quoted, is read by the witness from a printed paper.]

Mr. Brown. I would prefer that that paper be marked as an exhibit.

Witness. I have no objection.

The paper is offered in evidence on the part of the complainant and Stacy Decow, and marked Exhibit Z. [See Appendix.]

Witness proceeds—Thus it appears by an official document that they meant to make no compromise as regards property.

Q. It would seem, from the extract given, that they intended disownments of Friends; did their separate meetings assume to disown the greater bodies of Friends?

A. I may answer, simply, yes.

Q. Were such disownments regarded by the Society of Friends, as of any effect to disown Friends from the society?

A. We considered it as an assumption of authority that we could not acknowledge; and consequently, all their acts in this way were null and void, as it respects our religious or civil rights.

Q. Where Friends have been in possession of the property, have they in any instance denied to those who have separated, the right to bury their dead?

A. I believe not. On the contrary every facility has been offered them for that purpose: in confirmation of which, I offer as an exhibit, a circular addressed to the members of the separate meeting, held in Henry street, in the city of New York, signed by Samuel Willits as clerk to the funeral committee, appointed by the Monthly Meeting of New York.

The circular spoken of is offered in evidence on the part of the complainant and Stacy Decow, and marked Exhibit A 2. [See Appendix.]

Q. Was there ever occasion for the relatives of a deceased person in the city of New York, to prepare a grave in the burial ground of another society, under any just apprehension that the gates of Friends' ground would not be opened?

A. No; I should say. I may also add that the sexton has directions from the funeral committee to open the gates for the interment of their dead, without any application from them; and as they will in no case make an application, the sexton has been advised to proceed every morning to the burial ground to see if any grave has been opened; so that he may be prepared to open the gates when the funeral procession arrives at the ground. Those who have separated from us have a sexton of their own, who has a key to a small gate as I have understood, by which he can have access at all times to open a grave. I have not heard of any difficulty at any part of our Yearly Meeting, as it respects the interment of their dead.

Q. Has any meeting of the Society of Friends within the limits of New York Yearly Meeting, authorized the commencement of a suit at law, against those who have separated?

A. I know of none.

Q. Have they recommended the contrary?

A. They have, as it respects a suit commenced by an individual in Purchase Quarter, for the recovery of some property held in trust, for a school fund, I think it is: which is contrary to the express advice of the Meeting for Sufferings. I may add, that myself and another individual went up expressly to the Monthly Meeting of Purchase, to dissuade, or endeavour to persuade, that individual to withdraw that suit. He appeared at the time to consent so to do; but I understood afterwards it was prosecuted at law.

Q. With what result?

A. The result was a verdict in his favour, as I understood.

Q. On what principle?

Mr. Brown. I would suggest to the counsel on the other side, whether it is right to call upon the witness to state orally the principle of legal decision. I think it altogether incompetent, and if taken, I wish my objection recorded.

Mr. Price. We will go on; if it is not testimony, of course, it will be for nothing,—of this the chancellor will decide.

Mr. Price again puts the question—

The witness proceeds—I have never seen any official document of that kind; of course, my testimony on that subject is mere hearsay,—yet I believe an official document can be obtained, and exhibited hereafter.

Q. Was there any other male minister belonging to Jericho Monthly Meeting opposed to Elias Hicks, than Thomas Willis?

A. I believe there was no other male minister belonging to that meeting. The idea I meant to convey is, that there were no other male ministers belonging to that meeting than those two, Elias Hicks and Thomas Willis.—I believe I must correct that, by stating, that there is a minister, I think, belonging to Bethpage Preparative Meeting, which was a branch of that Monthly Meeting, who I have reason to believe was in full unity with Elias Hicks.

Q. Had Thomas Willis given public evidences of unfriendly feeling towards Elias Hicks?

A. I don't know of any; without it is his dissenting to his having a note as a travelling minister in one or two instances. There is another circumstance may be mentioned, which is generally considered as a breach of faith upon the part of Thomas Willis, in suffering copies of letters to be taken of a private correspondence between Elias Hicks and
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himself, after it had been agreed that those letters should be given up to each party that wrote them.

Q. Was Elias Hicks less faithful in the discharge of apprehended duty and the maintenance of the testimonies of the Society of Friends, in the latter part of his life, than he had been previously?

A. I never discovered but that he was as fully devoted and dedicated to do the will of God (I may say) in the latter part of his life, as at any former period.

Q. Is there any discipline or usage of the society warranting a *combination of the elders* of five Monthly Meetings, officially to treat with a minister travelling in the order of the society, for alleged unsoundness, in another Quarterly or Yearly Meeting?

A. I know of no such discipline that would warrant any *combination* of the kind alluded to.

Q. Or usage?

A. Well, I have no objection to *usage* being put in; I know of none.

Q. Is the Morning Meeting of London organized under, or recognised by, the discipline of the London Yearly Meeting?

A. I believe the Morning Meeting of ministers and elders have certain defined powers granted them by the Yearly Meeting of London.

Q. Is there any parallel between the case of the London Morning Meeting declining to grant its permission to a minister to travel under its sanction abroad, and advising a return home, and the case of a voluntary association of the elders of five Monthly Meetings in Philadelphia, to stop a minister travelling in the regular order of the society for *unsoundness* alleged to have occurred within his own Yearly Meeting before he obtained his certificates to travel?

A. I think there is not. I can give my reasons why I think so, if its necessary.

Q. Do so.

A. The Morning Meeting of ministers and elders in London is a regularly organized body, who have powers given them in certain cases to grant certificates to travelling Friends: the other appears to be an assumption of power not given them by the Yearly Meeting, or any superior meeting.

Q. Has the discipline of the New York Yearly Meeting reversed the gospel order, so as to authorize the complaint to the church, before a private opportunity had with the party complained of?

A. I think not; although a different construction has been put upon their discipline. And I offer as an exhibit those two paragraphs, or I will read from "discipline of the Yearly Meeting of Friends held in New York, for the state of New York, and parts adjacent," page 24, under the head, *Meetings of Ministers and Elders*, the following, which is the part I alluded to, as having had different constructions put upon it, viz: "As the occasion of our religious meetings is solemn, a care should be maintained to guard against every thing tending to disorder or interruption—none are to oppose in a religious meeting a Friend when publicly speaking, whether he be a recommended minister or not, whilst in unity as a member, nor in time of prayer keep on the hat, or show any remarkable dislike; but should any Friend have objections to what is delivered, he is to speak to the individual privately, previous to which, it is advised that the dissatisfaction be communicated to one or more of the elders for advice and assistance. When meetings are disturbed by

communications, it should be the care of the ministers and take suitable opportunities with the person who has given cause, and to extend advice and counsel as may appear necessary; if he continue to disturb our meetings for worship, he should be admonished; and provided the desired effect be not produced, should be laid before the Preparative Meeting of ministers and that further care may be extended; but should the Friend still therein, this meeting ought to lay it before a Monthly Meeting, which should proceed to treat with and *disown* him, if it to be necessary."

When it is advised that the dissatisfaction be communicated to one of the elders for advice and assistance, is it that the private communication may be taken with such advice or assistance, or communication to the elders to be considered as a complaint such, as a ground of treatment with a minister?

Not at all. That clause in the discipline, I believe, was designed to keep young and inexperienced Friends from treating with, or finding fault with them, without taking the advice of some elder.

Has it been the practice of the society to set up and lay down with the mutual consent of the meetings concerned?

Yearly Meetings I consider entirely independent of each other; probable they may differ, as it respects this question. I know the rule in the Yearly Meeting of which I am a member.

Do you speak of meetings subordinate to Yearly Meetings; whether it be the practice for such meetings to proceed in such a measure without the harmonious consent of all concerned?

As far as my knowledge extends, I believe that to have been the practice of society.

Have you ever known of a case in which a Monthly Meeting has been apted to be laid down without its own consent?

No, not, by any meeting now conducted, in what I consider the order of society.

Is the subordination of meetings in the society understood to vest in the Yearly Meeting an arbitrary control in this respect?

No, not.

Does the subordination in any instance extend to give the superior a controlling power over the property of the inferior meeting?

No, not think they have—it does not, as I apprehend.

[NOON.]

Does the different degrees of influence which members may have in society, has any one any greater interest or share than another in the property?

No, I could think they derived no additional interest from any influence, or station, which they may hold in society.

Have you said that Yearly Meetings are independent of each other; that each Yearly Meeting make its own discipline, and govern all its members according to its own will, subject only to the great head of the society?

Yes, these are my impressions.

Q. Has the London Yearly Meeting any peculiar or paramount authority over other Yearly Meetings?

A. I believe not, except that that of Dublin may be considered in some respects subordinate.

Q. Has the Society of Friends always been especially careful to conduct and preserve the proceedings of their meetings, subject to the spiritual head of the church, in exclusion of a temporal accountability?

A. What is meant by temporal accountability? To whom?

Q. To the exclusion of an exercise of an authority over them by the civil tribunals or legislatures of the country?

Witness. I find it difficult to comprehend what is the meaning of the question.

Q. Has not their objection to the acceptance of corporate privileges been on the ground that it would beget a legal accountability to temporal tribunals, in concerns over which they acknowledge Christ alone as their head?

A. In respect to the first part of the query, I believe that the society in some places have accepted of incorporations, or corporate powers; with respect to the second, they do so acknowledge Christ to be the head in all cases.

Q. Is the authority with which members speak to be judged of by the meeting they address?

A. I should think so.

Q. Is there any other means of control in the meetings of the society than by the force of conviction?

A. That ought to be the governing principle in all cases.

Q. Is it the duty of a clerk to record what after discussion becomes to be the *sense of the meeting*, through the force of conviction wrought upon it?

A. I believe it to be the duty of the clerk to propose to the meeting a minute of what he considers to be the sense and judgment of the meeting; and if united with by the meeting, it is then placed on record.

Q. How long have you acted in the station of clerk in the various meetings of the society?

A. I believe I have acted in that capacity in one meeting or other, for upwards of thirty years, with scarcely any intermission during that time.

Q. Since what age have you attended and taken a concern in the meetings of discipline of the society?

A. I think I may answer that question: from about thirty to thirty-five years of age, as to taking a concern: I may have been under appointments previous to that time.

Q. In what parts of the world have you had opportunities of witnessing the proceedings of meetings of the Society of Friends?

A. My opportunities have been chiefly confined to my own Yearly Meeting in New York.

Q. Are you in attendance here in pursuance of a requisition of a subpoena served upon you?

A. I received such a document previous to my coming here.

Q. From having been in England, or from other sources of information, can you give an idea of the number of Friends in Great Britain and Ireland?

A. I have heard the number estimated, from some that I considered

might to have a right estimation or idea of the numbers, at from about eighteen to twenty thousand.

Q. Have Friends in those countries been possessed of the necessary information to enable them to form any correct idea of the nature and merits of the controversy and division which have taken place in the Society in this country?

A. As it respects the society at large, I apprehend that they have been but partially informed.

Q. Has that information been chiefly on one side, or of a nature to enable them to judge of the claims of the respective parties in this country?

A. I judge not as a body; because in a Yearly Meeting capacity, they have refused to receive any epistles from us, that might give them information on those subjects.

Q. Were those epistles rejected by the meeting at large, or withheld by the influence of a few prominent individuals?

A. I rather think, from the information I have received, that the meeting at large were informed that there were such communications; but that the consideration of the propriety of reading them in the meeting, was referred to a committee appointed by the meeting, to judge of and report. I understood they reported that they ought not to be read; and they were directed to be returned to the clerks transmitting them; and if my information is correct, they were so returned.

Q. Was the information from the Meeting for Sufferings in Philadelphia, alleged as the ground of such rejection?

A. I have understood that was the ground they took.

The counsel rests the examination in chief; and the said John Barrow being cross-examined on the part of Joseph Hendrickson, further saith: Question by Mr. Brown. Are you a member of that body of persons in the state of New York with whom Elias Hicks was in unity at the time of his death?

A. I am a member of the Yearly Meeting of New York; and that meeting has issued a testimony of unity with him and his labours.

Q. Of what Monthly Meeting in the Society of Friends were you born member?

A. Of the Monthly Meeting of Lancaster, in Great Britain.

Q. Does not the discipline of the New York Yearly Meeting expressly prohibit the attendance of persons at meetings for discipline who are under dealing, or disowned?

A. I believe there is such a rule of discipline; and that it has always been exercised, when the meeting has known that to be the fact.

Q. Did not the Yearly Meeting of New York, a few years previous to the separation, issue advice to its subordinate meetings, enjoining a strict observance of this rule of its discipline?

A. That may have been the case; though I have no recollection of such advice being issued, at the time queried after by the counsel.

Q. Was it not well known that testimonies of *disownment* had been issued by their respective Monthly Meetings against many persons who were present at the sitting of the New York Yearly Meeting, in 1828?

A. At that time we had no official information of the fact, although there was the intimation of several Friends then present: but the meeting, knowing that a division had taken place within the compass of the Yearly Meeting of Pennsylvania, &c. it was not prepared to act upon the in-

formation then received, which was principally from those who were had been members of that Yearly Meeting. I think the same thing stated by one Friend who was from England.

Q. Did not the clerk of New York Yearly Meeting upon that occasion state such to be the fact?

A. I think it is not improbable, though I have no recollection, and I don't think it would have altered the case at all.

Q. Was it not a matter of general notoriety that such persons were present?

A. I don't think the meeting at large knew any thing of it, and individuals might have heard such reports.

Q. Do you mean to be understood as saying that the greater number of the representatives to the select Yearly Meeting of New York, who were in favour of proposing you as clerk to that meeting for that year?

A. I have no other means of information than the testimony of a member of the representatives, whom I always considered to be men of veracity, asserting in the meeting at large, that that was the fact.

Q. Did that testimony state how it was ascertained that they were the greater number?

A. No. They both claimed to be the greater number.

Q. Did not Richard Mott report to that meeting on behalf of the representatives, the name of Joseph Bowne as clerk?

A. He did, after Warren Ferris, who was also one of the representatives, had previously reported my name as clerk.

Q. As nearly as you can recollect what was the language of the minute you made upon that occasion, appointing yourself clerk?

A. If I remember right it was, that "as there appeared no choice on the part of the representatives, and the meeting were evidently united in any Friend to serve as clerk, the present clerk was requested to serve the meeting, until the meeting should be more united than was at the present time;" referring, however, and it was probably mentioned, though I do not recollect that it was mentioned, to the sitting; if not mentioned, however, my impression is that it was understood.

Q. When the separation took place in the select Yearly Meeting, were there not sixty-seven of those you call Orthodox, whom you say retired to a remote corner of the room, and but twenty-eight who kept their seats with you?

A. I never made such a statement; nor never heard such a statement before.

Counsel. My object is to obtain from you a statement according to the best of your recollection?

Witness. My impression always has been, as it was, I think, at the time that those who went away, or separated, members of the Yearly Meeting of New York, were less than those who staid behind and kept their seats.

Q. Were there not strangers, not members of the select Yearly Meeting of New York, who staid and kept their seats with you?

A. Yes, there were.

Q. Without taking into consideration either the strangers that were with you, or that retired with those you call Orthodox to a remote corner of the room, and confining the estimate to those who were members of the select Yearly Meeting of New York, which was the most num-

those who staid with you, or those who retired "to the corner of room?"

. I never counted them. My impression was, and is, that the larger number of that description staid behind.

. Were not Martha Smith and other persons, who had never been acknowledged as ministers, at that meeting, and their attendance supported and encouraged by those whom you call Friends?

. I have understood that Martha Smith was then a recommended minister; as to others, I knew of no others then in attendance, but who were either ministers or elders, and had a right to sit there.

. Was not the prominent cause of the difficulties of the Society of Friends in New York Yearly Meeting, and which finally led to the separation, the uneasiness and dissatisfaction of many Friends with the alleged unsound doctrines promulgated by Elias Hicks?

. I must put another query to the counsel, whether he means to connect that to the difficulties that took place at the time of the separation, previous.

Counsel. No. I mean the general difficulties, which arose in the society.

Witness. In answer to that question, I think it is previously answered, in my stating, that the great body of the society were in unity with Elias Hicks as a minister of the gospel.

The question is again read to the witness, when he further answers, I do not think that was the cause, myself.

. Were there not a number of the active members of that Yearly Meeting, who apprehended that Elias Hicks held and promulgated unsound doctrines?

. That I believe was alleged on the part of a number: but by no means the general sense of the body.

. If the alleged unsoundness of the doctrines promulgated by Elias Hicks was not, what was the cause of the difficulties that occurred within the limits of New York Yearly Meeting?

. I should be sorry to be compelled to answer that question; because it would lead me, as I apprehend, to expose the character and conduct of individuals, for many of whom I entertain a sincere and personal regard and affection, as well of the living as for the memory of the dead. As it respects the dead, I desire always to observe the Latin maxim, *de mortuis nil nisi bonum.*" If after this explanation, the master insists upon my going into a full detail of what I apprehend was the primary and leading cause which led to the separation in our Yearly Meeting, I shall be disposed, although very reluctantly, to comply with it.

Examiner. I can only read again to you the interrogatory of the counsel.

Mr. Brown. I have asked for the *causes* of the difficulties. So far as details are necessary to explain those causes, I wish the witness to state them. The party in this cause for whom I am concerned is not disposed to shrink from investigation. But were it otherwise, what the law calls his explanation, would compel us to insist upon an answer to the question: to omit to do so, would be impliedly to acknowledge that we really are guilty of the offences insinuated.

Witness. The primary cause then, as I understood it, originate in the unsoundness of Elias Hicks on questions relating to doctrine that he attacked, in the first instance, the conduct of certain in-

duals in joining with and associating themselves with Bible Societies, and other benevolent institutions of the time, at that time; and some others of a popular character, such as voting, and taking a part in elections in the civil government: and in calling in question the motives which led them into these associations; which Elias Hicks thought was more to court the popular opinion of the day, than any ground of religious concern. This gave great offence, and occasioned something of a party, as they were influential characters in the Monthly and Preparative Meetings of New York. Those individuals sought every opportunity, I believe, to lessen the religious character and standing of Elias Hicks. This, as I apprehend, is what seems to have been the first rise of the difficulties. Elias Hicks was a man that fearlessly, as it respected the opinions of men, endeavoured to discharge his duty, without regarding their applause or censure. A party in society being thus formed, were each zealous to support their own views. Some of those characters being leading and influential members of society in their conduct in meetings for discipline, although the minor part of the body, appeared desirous to bear rule; being a few over the many. This occasioned a state of things that was particularly trying. One or two English Friends came over to this country; these they prevailed upon to take sides with them; that is, the minor part,—I wish to be understood as I go along,—and by relating to them particular and abstract sentences that Elias Hicks might have dropped, they prevailed upon them to believe that Elias Hicks held unsound opinions. From that time a decided and settled opposition to Elias Hicks took place; and after which another Friend came out from England, and early opportunities were taken with her, to prejudice her mind in the same way. She, however, went to Elias Hicks, paid him a visit at his own house, published the conversation, or rather left the conversation in writing, which took place between them. This conversation she communicated to me *confidentially*, and I advised her with all the arguments I was capable of making use of, to suppress and never to show them to any body else, but to burn them; as I thought they contained some charges that were not correct, and that she must have misunderstood. However, this manuscript copy of the conversation, copies of which were suffered to be taken, and were afterwards published. This, I consider, these statements that I have made, I consider as the origin and beginning of the difficulties in society.

Adjourned until 10 o'clock to-morrow morning.

Friday morning, March 25, 10 o'clock. Cross-examination continued. Present as before.

Question by Mr. *Brown*. I understand the witness to say, that the causes out of which arose the difficulties in the society, were opposition to Elias Hicks, by the persons to whom he has alluded; though he does not admit that that opposition was for the reason supposed in my first question on this subject. Am I correct in this understanding?

A. Thee is correct in part. I consider that the opposition was not confined to Elias Hicks, simply; but also to all those who in any degree supported or united with him.

Q. You have alluded to some English Friends who had arrived in this country; were the sermons and letters of Elias Hicks printed and published before those Friends left this country; and had those Friends an

ty of reading them, and of hearing Elias Hicks in his public meetings?

Have that a number of those sermons were published previous to coming to this country; and that they had had opportunity, if they embraced it, of reading them, and hearing him in his public meetings?

Are any thing in the discipline of the New York Yearly Meeting recognises or provides for the existence of two dissuited and bodies, both claiming to be the Society of Friends?

It appears to me to be a singular question, but I am willing to explicitly, that there is not,—there is no such discipline.

Previous to the year 1826, had New York Yearly Meeting corresponded with more than one body in the city of Philadelphia, claiming to be the "Yearly Meeting of Friends," of Philadelphia?

It had not.

Did not the Yearly Meeting of Philadelphia with which the New York Yearly Meeting had theretofore corresponded, hold on the third of Fourth-month in each year, at Arch street?

I conclude that that was the usual time and place of the meeting, and that it comprised the Yearly Meeting of Philadelphia.

For to the question, and ask, whether that was the Yearly Meeting with which the New York Yearly Meeting had theretofore corre-

sponded, it is a subject of public notoriety, that that meeting, held in Arch street, in 1827, became very much unsettled and disturbed; that a great number of that body, which formerly composed the Yearly Meeting of Philadelphia, were much dissatisfied with the proceedings of a party meeting; in consequence of which, as I have understood, they decided to meet separately, where their civil and religious rights were more respected. But although thus separated, they assumed, in fact a body comprising the Yearly Meeting of Philadelphia; the same laws, usages, and practices, as prescribed by the Yearly Meeting, and formerly adopted by the Yearly Meeting of Philadelphia. Prior to the separation, and antecedent to that time, the New York Yearly Meeting had corresponded with that Yearly Meeting, held in Arch street. I have described. I consider them the same body still,—that is, those who hold their meeting at Green street, as the same body, and who are governed, as I said before, by the same discipline and laws, as far as I know, which governed the Yearly Meeting of Philadelphia, held in Arch street, previous to the year 1827.

How many Yearly Meetings does the meeting which you now call the New York Yearly Meeting, correspond to?

During the last year we have sent epistles, I think, only to two or three—three—yes, on reflection, there are four; Philadelphia, New York, Ohio, and Indiana. We have not, however, closed up the Yearly Meeting by refusal to correspond with London, Dublin, Rhode Island, and North Carolina; and may resume it whenever way opens.

To the four Yearly Meetings with which you say your Yearly Meeting has corresponded during the last year, has there not been a correspondence in each of those Yearly Meetings?

That is the general report.

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Q. Your Yearly Meeting then only corresponds with a part of those who formerly composed those Yearly Meetings?

A. We consider that we are corresponding with those Yearly Meetings, without any allusion to *parts*, or what may have taken place.

Q. Are there not within the limits of those Yearly Meetings, other bodies of men than those with whom you corresponded, who claimed to be the Yearly Meetings of Philadelphia, Baltimore, Ohio, and Indiana, respectively?

A. I cannot speak from any personal knowledge, except Philadelphia; although I have no doubt, by general report, that that is the case.

Q. I have understood you to say, that during the last year, the meeting that you call New York Yearly Meeting, did not correspond with the Yearly Meetings of London, Dublin, Rhode Island, (called New England,) Virginia, or North Carolina—before the separation, did not New York Yearly Meeting correspond with those meetings?

A. I think I stated before, that no epistles from the Yearly Meeting of New York, to those meetings mentioned by the counsel, were prepared and sent last year; although the way is not closed for any further correspondence, that I know of. It is true, the Yearly Meeting of New York had formerly corresponded with all these meetings; and I think it probable, that the way will again open for a resumption of that correspondence.

Q. By *formerly*, do you not mean before the separation?

A. Yes—before what thou calls a separation.

Q. By general repute, do not those Yearly Meetings correspond with New York Yearly Meeting, held by those you call Orthodox?

A. In making use of that term, I do not do it out of any disrespect; I have a dislike to attach any nick-names to any body, or society of men; but when I have made use of the term, I have merely done so for distinction's sake. Please to repeat the question again. [The question is read to the witness, when he further answers.] I have no hesitation in answering that that is the general report. I have no other means of knowing, as I have not seen their correspondence—but I am willing to answer it in the affirmative.

Q. Have not each of those Yearly Meetings, London, Dublin, Rhode Island, Virginia, and North Carolina, issued declarations, stating that they do not consider those meetings, of which you are a member, as meetings of the Society of Friends?

A. I think I have seen some declarations from some of those meetings, that I have thought contained very unwise and intemperate expressions; which conveyed the conclusion, I think, that is queried after. I charitably impute it to want of information, and to a want of that christian feeling and forbearance, which ought to characterize the profession we are making as Friends.

Q. Did not those Yearly Meetings also declare their disunity with the doctrines held and promulgated by Elias Hicks?

A. I have not a distinct recollection of all the charges. I may remark, as I said before, that I considered that they generally arose from a want of right information; and probably to the influence of certain characters travelling in the ministry, and present when those unkind and uncharitable testimonials were issued by those meetings.

Q. As far as the information of the witness extends, I wish him to

te, whether they did not declare their disunity with the doctrines of
as Hicks?

Witness. I am now going to answer the question. I think I have a
tinct recollection, that in one or two of those declarations, wherein
name was mentioned, coupled with some declarations of that kind.
don't recollect in what way they were put; but if I had them to refer
I could answer more particularly.

Q. At the time of the separation in the Yearly Meeting of New York,
re not those persons who left the house, refused admittance into the
ement story of the meeting house?

A. I believe I must say, that I cannot admit that the Yearly Meeting
New York ever have separated; that a certain party who seceded and
the house, and asked, as I understood, for admittance into the base-
nt story, were refused; not considering that they had any right to
th a privilege.

Q. You state that the persons whose names were rejected as repre-
ntatives to the Yearly Meeting, from the Quarterly Meeting of West-
y in 1828, were in disunity with their Monthly and Quarterly Meet-
g—will you please to state who those persons were; and how they had
nced that disunity?

Witness. (Referring to a MS.) It is unpleasant to me to mention
mes; however, I shall not shrink from it. I believe they were Thomas
awkeshurst, Samuel Wood, William F. Mott, and John R. Willis.
hose individuals had met in a disorderly manner, as I apprehend, at
e meeting house in Rose street, had drawn up a remonstrance against
e proceedings of the Preparative Meeting held at that house. This
onstrance was presented to the Monthly Meeting of New York. A
mmittee was appointed by that meeting to consider the charges
ainst that Preparative Meeting, and report. They accordingly met,
d after a close investigation of the subject, reported to the Monthly
eting that the charges which these Friends exhibited were *groundless*
and without foundation, which report was sustained and united with as
e prevailing sense of that meeting, and so recorded on its minutes.
hese Friends, however, were still dissatisfied, and appealed from the
gment of the Monthly Meeting to the Quarterly Meeting. The
arterly Meeting took up the subject, appointed a *large* committee of
icious Friends, who carefully investigated the charges, as at first ex-
ibited; the proceedings of the Monthly Meeting of New York heard
e parties in the case, and finally reported that they had not any *just*
ue of complaint against that meeting. When I gave in my testimony
f those Friends being rejected by the Quarterly Meeting, as suitable
representatives to represent that body in the Yearly Meeting, I alluded
to this circumstance, which, by their own declaration, they had pre-
iously expressed their disunity with the Monthly Meeting. If that tes-
mony is not sufficient to substantiate what I have above stated, I can,
necessary, give in evidence the proceedings of the Monthly and Quar-
tly Meeting, by extracts from those meetings, signed by the clerks
spectively.

Q. Were not those four persons you have mentioned known to be
pposed to the religious doctrines promulgated by Elias Hicks?

A. They were known to be attached to that party in the society, who
ere endeavouring to destroy the religious character and standing of
at upright and dignified minister of the gospel.

Q. How many persons signed the remonstrance of which you have spoken?

A. Four, whose names I have given.

Q. What were the proceedings of the Preparative Meeting against which they remonstrated?

A. If I am to answer that question, I shall give in evidence the remonstrance alluded to, which will explain what their views and meaning was, better than I can orally.

Counsel. We wish the remonstrance, if the witness has it.

Witness. This is the remonstrance, and the report of the committee: it is, however, coupled with the report of the Monthly Meeting, which cannot well be detached: also, the proceedings and report of the Quarterly Meeting, held the 24th of Fourth-month, 1828. By this it will appear, that at the very time those representatives were named and objected to, the Quarterly Meeting were occupied in considering the appeal and allegations of those Friends.

Mr. Brown. I would remark to the witness, that as he had offered the remonstrance, we have called for it: as respects any other papers, it rests with himself to offer them or not.

Witness. The papers which relate to the same subject, I had rather should go with the remonstrance; I think they ought to go together: the proceedings of the Quarterly Meeting, however, I shall offer as an exhibit.

The papers referred to by the witness are offered in evidence; and the said remonstrance is marked Exhibit No. 44½ on the part of the said Joseph Hendrickson. And the accompanying papers, viz: the Report of the Monthly Meeting's Committee, and Proceedings of the Quarterly Meeting, are offered in evidence on the part of the complainant and Stacy Decow, and marked by me Exhibits B 2 and C 2 respectively.

Q. The disunity, then, of those four persons, consisted in applying to the Monthly and Quarterly Meetings for advice and assistance, in what they apprehended to be a case of grievance?

A. I think it has never been customary, when any Friends are brought before a meeting for discipline, either as offenders or as remonstrants, that while that case is pending before a meeting, they would be considered properly qualified impartially to represent that meeting in a superior meeting.

In reference to the paper purporting to be the proceedings of the Quarterly Meeting, marked as above mentioned Exhibit C 2, the witness says, "this is a copy of the minute relating to this case."

Q. When their remonstrance came before the Monthly and Quarterly Meetings, were there not a number of Friends in each of those meetings who considered they had good grounds for complaint?

A. I think that is very probable.

Q. As it appears by the remonstrance and minute exhibited, that the difference between the remonstrants and the other members in the Monthly Meeting was not of a personal nature, but had reference to different constructions put upon the discipline, or the manner of its exercise, on the principles you have laid down, were not all the members of New York Monthly Meeting equally ineligible as representatives from Westbury Quarterly Meeting, to the Yearly Meeting?

A. I think not; because a considerable number, or the greatest number,

tted to the sense and judgment of the Monthly Meeting: I may herefore were members in full unity with that body.

Is the clerk of the Quarterly Meeting officially informed by any of those four persons were in disunity with their Monthly

consider that he was *officially* informed, by the production of the the Monthly Meeting which is exhibited, and the case then before the Quarterly Meeting.

Were their names mentioned in that minute?

The proceedings of the Monthly Meeting were presented to the Meeting, and of course the remonstrance wherein those names stood, by which the clerk and the meeting were fully informed as usual.

Were those proceedings, including the remonstrance, read in the Meeting?

Were not a distinct recollection of that circumstance; whether read, or only submitted to a committee.

Was it stated in the Quarterly Meeting as the reason for rejecting them, that those persons were in disunity with their Monthly Meeting or under their care?

Thank it was distinctly mentioned by an individual of that meeting, that persons so situated whose case was then pending, could not be suitable to represent that meeting in the Yearly Meeting.

Were the offers made by your party to those you called Orthodox, in relation to the property question, addressed to their meetings of the religious Society of Friends, or were they addressed to persons called Orthodox, and who had separated from the

communication of that kind was made to any meeting; because we considered as a sort of acknowledgment that they were a organized body. This we could not admit; but always considered as meetings set up out of the regular order and discipline of the Society of Friends, and that the propositions as respects property made to individuals, who were said to compose such meetings influential characters therein, as we apprehended.

Do not know then that those propositions ever reached them, as meetings?

As meetings. I have no knowledge of any such circumstance. However, the exhibit I made yesterday of an epistle of a Meeting of Friends so called, and signed by Samuel Parsons, is conclusive that those meetings were informed; as they directed that meeting they considered under their control, should make no compromise with us as regards property.

[NOON.]

the meeting to which you now belong given possession or the use of the two meeting houses, or other property in the city of Philadelphia, to those you call Orthodox?

Consider that they are always at liberty to attend those meetings for public worship, for which they were built and designed, when they may think proper.

But from that, you have given them no possession?

Q. Have not those with whom you unite, attempted to *disown* those whom you call *Orthodox* in the city of New York?

A. The number of Friends in the city of New York, being very large at the time, about 400 of which seceded from the society, and held a separate meeting; it became necessary, as we thought, on the part of society, to designate distinctly those who were united with us, and those who had seceded. And in order to relieve the Monthly Meeting of New York from any responsibility for the conduct of those who had seceded, it was thought necessary that the overseers should take a list of those members, those who were formerly members; wait upon them, and inquire of them whether they wished to be any longer considered as members of our society. If upon their signifying they had no wish to be so considered, they should report the names of such to the Monthly Meeting. A minute was accordingly made to that effect, intimating that they were no longer considered members of our society. Yet upon their expressing a wish at any time to return, the Yearly Meeting, I think, directed, that no acknowledgment should be exacted from them. Although this step has been taken by the Monthly Meeting of New York, it has not been adopted, as I have understood, or any steps taken in that way, by a great proportion of the Monthly Meetings, constituting that Yearly Meeting.

Q. Was the cause you have assigned the only one for disowning them?

A. I believe that to have been the cause, and as far as I have understood, the only cause.

Q. Does the discipline of the Yearly Meeting of the city of New York recognise such a mode of disjoining members from the society?

A. When that discipline was made and concluded on by the Yearly Meeting, no such state of things as now exist, could have been contemplated. But the same power which made the discipline, could at any time alter it, or adapt it to such a state of things, as now exist: and therefore the Yearly Meeting made a minute and sent it down to all the subordinate meetings, giving them liberty, (not enjoining it,) for each Monthly Meeting to act in the way above mentioned, whenever they felt at liberty or disposed so to do.

Q. Was the minute of the Yearly Meeting, to which you have alluded, of a date anterior or subsequent to the act of the New York Monthly Meeting, disowning those members to which you have alluded?

A. I rather think the Monthly Meeting of New York did partially act upon such a minute, anterior to the conclusion of the Yearly Meeting, as above stated: passing no censure upon the Monthly Meeting of New York for acting in the case, where no specific discipline adapted to such a state of things, had been concluded upon by the Yearly Meeting.

Q. Am I to understand then, that at the time of the act of the New York Monthly Meeting disowning those members, there was no discipline of the Yearly Meeting of New York to sanction it?

A. As I remarked before, there was no specific discipline which provided for such a state of things; and, therefore, the Monthly Meeting of New York, in their judicial capacity, apprehended they had a right to act in such a case in the manner they did: subject, however, to be called to an account, by an appeal of members so separated, to the Quarterly or Yearly Meeting, either to set aside or confirm such judgment. And in all cases, the persons to whom this minute of separation was given, were expressly informed of their right to such an appeal.

. Have not several suits been commenced in different parts of New York by those you call Friends, against those whom you style Orthodox?

. I know of none by the approbation of any meeting.

. Do you know of any with or without such approbation?

. There was one commenced at "Purchase," by a Friend who was tutor to a school fund, belonging, I believe, to the Preparative Meeting of Purchase; and which has been already explained in my evidence to the present examiner.

Do you know of any other? if you have knowledge of any other, I beg you to state it?

. There was a case, I believe, which occurred at "Nine Partners," Dutchess county, of a trustee who held property belonging to the school at that place, and under the care of the Yearly Meeting of New York. It appears that he was the only surviving trustee, and without consulting the Yearly Meeting, or its committee, as I understood, but at the instance of a counsellor, eminent in the law, he was advised to obtain a writ of ejectment against the persons who were in possession of the property. This, however, when it came to the knowledge of Friends generally, met their decided disapprobation; and he was advised to withdraw that writ; which I have understood, he accordingly did: as it was the express and decided opinion of the Meeting for Sufferings, representing the Yearly Meeting, that Friends should in no case be plaintiffs in any suit at law for the recovery of any property, which might be in the possession of any of those called Orthodox Friends. I know of no other suits of the kind, within the compass of our Yearly Meeting.

. Although the suit was withdrawn, did not those whom you call Orthodox take possession of nearly all the lands belonging to that school?

. I believe they kept possession of some of those lands which had previously been in their possession, although very far from its being kept in peaceable possession: those of the Orthodox party having frequently disturbed them therein.

. If previously in possession, why institute an action of ejectment for its recovery?

. I am speaking of part of the lands; I believe the ejectment was obtained, or issued against those in possession of the school-house,—I am particularly informed as it respects the division of that kind of property, and what part of it the suit was brought against.

. Previously to the commencement of the suit you speak of in Purchase Quarter, had not your party taken possession of nearly all the property of the society, in that Quarter?

. I cannot answer that question, for want of knowledge. I presume, however, that the greater portion of the meeting houses in that Quarter, were in possession of the society; they never relinquished it. The Orthodox, as I have understood, having left them in the peaceable and undisturbed possession of Friends.

. Are not the disownments of your party by those you denominate Orthodox, valid and effectual, as respects all their meetings, and all dealings in church fellowship with them?

. I don't know that I have any opinion to give upon that subject.

. According to the discipline and usages of the Society of Friends, is it not a duty which specially devolves on the elders to watch over and rebuke the ministers, and where any thing unsound or otherwise objectionable is observed?

able appears in their ministry, to treat with and admonish them, as the circumstances of the case may require?

A. Unquestionably so. But always to be done under the influence of christian forbearance, loving kindness, and charity.

Q. Does not the discipline of your Yearly Meeting declare, that Monthly Meetings are subordinate and accountable to Quarterly Meetings, and that when a Quarterly Meeting is dissatisfied with any of the proceedings of its Monthly Meetings, they are to render a full and clear account, when required?

A. My recollection does not serve me as respects the particular clause, which gives such specific directions; if it can be produced, I should be willing to see it. [A copy of the discipline of New York Yearly Meeting is handed to the witness, when he asks for the question to be again read, which being done, he answers further.] There is such a clause in the discipline.

Q. If through weakness or unfaithfulness, a Monthly Meeting should fail in the support of the discipline, or testimonies of the society, and refuse to render any account to the Quarterly Meeting, or to take its advice, would not the latter meeting be bound to support the testimonies and discipline of the society by laying down such Monthly Meeting?

A. This appears to me to be supposing a case that has not occurred within my memory; and therefore I cannot say how the meeting would act under such circumstances. If the counsel wishes by the question to ask my opinion, how I suppose they would act under such circumstances, I can give it for what it is worth, and no more.

Q. Is not the case I have supposed, a possible case?

A. I allow it to be a possible case.

Q. And should the case exist, would not the case I have supposed, naturally result from the subordination of the one meeting to the other, as recognised in the discipline?

A. As I said before, I consider it only a supposable case, and my opinion simply, I should suppose, would be of no consequence, how the meeting ought to act; but I think it is expressly mentioned in the discipline that no Monthly Meeting can be laid down by its Quarterly Meeting, without its consent: therefore, whenever a Monthly Meeting gets into such a situation, as has been described, I should suppose the regular course of proceeding would be, to labour by a committee of its meeting to restore it to a state of soundness,—if after such labour, this desirable end should not be effected, and the Monthly Meeting were not prepared to consent that it should be discontinued, in that case, I should suppose, the Quarterly Meeting would open the case to the Yearly Meeting for its advice and assistance in the case, and not lay it down, without its consent, as has been mentioned.

Q. Suppose after a reference of the case to the Yearly Meeting, and its advice and assistance obtained, and such additional labour bestowed upon the refractory Monthly Meeting as should be advised by the Yearly Meeting, the Monthly Meeting should still continue refractory, what would be the result; must the inferior or superior submit?

A. I cannot in my mind suppose such a case. It is a case which it is not likely ever will take place in the society. I have never known so a case; and there is no provision in the discipline to meet it that I know of. This is my answer.

Q. You decline giving any other?

can't see any other to give.

Have understood you rightly, you have stated that there is an rule of the discipline of the Yearly Meeting of New York, against having a Monthly Meeting without its consent: will you have the pleasure to refer me to that rule?

A. I think it is contained in this paragraph—[having the discipline in his hand, reads]—"No Quarterly Meeting is to be set up or discontinued, but by the Yearly Meeting; no Monthly Meeting, but by the Yearly Meeting;"—this is the paragraph that I alluded to, page 11 of the discipline.

What book does contain the discipline of the Yearly Meeting of New York?

A. I believe it does; [examining the book]—I believe it is the

discipline book of discipline is offered in evidence on the part of Joseph Hendrickson, and marked Exhibit No. 45.

Q. Is not the discipline of New York Yearly Meeting, declare that any person who, by their inconsistent or disorderly conduct, or by imbibing erroneous principles and practices contrary to the doctrines which have first openly manifested their disunity with the society, it is a requisite, that after endeavouring to restore them without effect, no body should testify its disunity with such erring and refractory persons, but at the same time earnestly desiring that they may be convinced of their ways, and that through unfeigned repentance and a reformed and orderly conduct in future, they may be reunited; this being the most extent of our discipline respecting offenders, it is very far from the right exercise thereof, no degree of persecution or oppression can be justly inferred, for the imposition would rest entirely upon those who might insist upon being retained as members in open variance with the body, either in principle or practice?" A. Knowledge there is such a clause in the introduction to the discipline of the New York Yearly Meeting; and if it would be any satisfaction, I will read it with it, as I understand it.

Q. The paper marked Exhibit X, being a statement of numbers, &c. on the witness's hand. Is this in your handwriting?

A. Except those figures at the bottom, where they are summed up, I don't know whose that is.

Q. Think you stated that paper as containing the result of certain reports as a copy of the reports. I think you made that discrimination, you have any further knowledge in respect to the relative numbers of members styled by you Orthodox and Friends respectively, than what is collected from those reports?

A. I have no other knowledge that can be depended on.

Q. Have you any other knowledge of the principles upon which those reports were made, and the sources from which the several committees collected their information, than what is contained in those reports? A. I have none. The documents are in my possession as clerk of the Yearly Meeting or Sufferings, from which this result was taken.

Q. Counsel for Joseph Hendrickson rests the cross-examination; and you give over the testimony to the witness, he makes the following examination:

Q. In your answer, I quoted from page 11 of the New York discipline that "No Quarterly Meeting is to be set up or discontinued, but by

the Yearly Meeting; no Monthly Meeting, but by the Quarterly meeting." I wish to add, that the term "*discontinued*," used in this paragraph quoted, is as applicable to the Monthly Meeting as to the Quarterly Meeting. This has always been very clear to my mind. Further this affirmant saith not.

JOHN BARROW.

Affirmed as aforesaid, and subscribed at the house of William Ridgway, in Camden, in the county of Gloucester, this twenty-fifth day of March, eighteen hundred and thirty-one. Before me,

J. J. FOSTER,

Master and Examiner.

Adjourned until Tuesday next at 10 o'clock, A. M.

Tuesday morning, March 29th, 1831, at 10 o'clock. Examinations continued. Present Mr. Price, of counsel with complainant and Stacy Decow, and Jeremiah H. Sloan, for Hendrickson.

Burr GEORGE H. BURR, of Philadelphia, a witness produced on the part of the complainant and Stacy Decow, alleging himself to be conscientiously scrupulous of taking an oath, and being duly affirmed according to law, on his solemn affirmation declareth and saith:

Question by Mr. Price. What is your age?

Answer. Thirty-eight or thirty-nine, I cannot state positively, without referring to the record.

Q. Did you make a count of those Friends who attended the Yearly Meeting, on the second Second-day of Fourth-month, 1828; and if so, state the numbers that attended?

A. I did count them at two or three of their sittings during the week, but not commencing with that day, in relation to the count, but on Third-day. They commenced on the time mentioned by the counsel, but I was not enabled to count them, in consequence of the storm, and both of the gates for a short period being open at the same time, so that I did not finish the count. I did, however, during the week, count the numbers at four of the sittings. The average number amounted to about 1,150. There was one or two sittings, at which there were upwards of 1,200.

Q. Of males do you speak?

A. Of course, as I am speaking of the Yearly Meeting, which alludes to them. And at one of the sittings there were about 1,100. I did not count them at a later period than Fifth-day afternoon of that week.

Q. When you counted them, did they pass through but one gate?

A. But one gate; or at least I had no means of ascertaining whether the back gate was open at the time, excepting in the instance I have previously mentioned, as the meeting house obstructed the view, and I understood it was not opened; and the committee was placed at the west gate. There were two carriage loads of Friends that came in at the north gate, which is in full view of the other; those Friends were included in the number.

Q. Whether that was entered or not, you only counted what you saw enter?

A. Of course; that is what I stated.

Q. Did you count those who assembled on the third Second-day of Fourth-month, 1828, to hold what they called a Yearly Meeting? and if so, state the numbers.

A. I did number them; number those Friends who assembled their

Yearly Meeting at the Arch street meeting house at that period, at three of their sittings during that week; in company with another person at two of those sittings; and in company with two or three persons, at one other. They numbered on the first day of the meeting, seven hundred and near fifty in the morning, and about seven hundred and sixty in the afternoon: and on another sitting, on another day which I do not recollect, the number was eight hundred and thirty-one, I think. They were counted by some others at different times during the week, but I cannot state further than from general report, and therefore do not think proper to give it unless requested; though I have no doubt as to the estimate.

Q. On any one or more of those occasions, was your count tested and confirmed by one of the Orthodox party?

A. One of those persons who assisted, as I have previously stated, professed to be favourable to the Friends who assembled at Arch street; but I think he informed me that he was not a member; and I am aware that he is not, from what I have since understood. There was one Friend, a member of that meeting held at Arch street, who stated, on viewing them in the meeting, and endeavouring to number them himself, that he was under the impression that the count was substantially correct: and another Friend, who belongs to the Yearly Meeting first named, stated the same. And I will also observe, that the Friends who attended both those meetings, were very respectable bodies; and it is cause of regret to myself, and I have no doubt, to thousands who are not members of either of these meetings, that any thing should have occurred, or has occurred, to interrupt the former harmony which subsisted among them: and I am not without a hope that the time may come when they will be reunited. There are many Friends on both sides of the question, for whom I entertain sincere respect.

Q. Did there appear to be the usual proportion of elderly and consistent Friends entering at the meeting you have first spoken of, held at Green street?

A. Yes, as is usual at the Yearly Meeting; I allude to both meetings; it was the same at both. Further this affirmant saith not.

GEO. H. BURR.

Affirmed and subscribed at the house of William Ridgway, at Camden, in the county of Gloucester, the 29th day of March, 1831, coram,

J. J. FOSTER,

Master and Examiner.

JOSEPH GASKILL, a witness produced on the part of the complainant and Stacy Decow, alleging himself to be conscientiously scrupulous of taking an oath, and being duly affirmed according to law, on his solemn affirmation declareth and saith:—

Q. What is your age?

A. I am a little turned of forty-six, I believe.

Q. Are you a member of the Society of Friends; and how long have you been so?

A. I am, and have been from my birth.

Q. Were you present when there was a separation from the Burlington Quarterly Meeting; and if so, did the greater part of the meeting decide to adjourn without doing its business; or did the greater part decide to continue the sitting of the meeting?

A. I was present when that separation took place, of considerable the

smallest part of the Quarterly Meeting. After they had concluded to separate, and sent a Friend into the women's meeting, to inform them of what they had concluded on, it was thought proper by those which was opposed to the separation, or to the adjournment, that there should some Friends be sent in to inform the women, likewise; and I was named, with another Friend, to take the message to the women's meeting; and when we got near the door, some Friend observed, he thought we ought not to go; and we stopped and observed, that we had no wish to go, unless it was the wish of the meeting; which caused a pretty general expression in favour of our going. We accordingly went in: soon after we returned, those that had been in favour of the adjournment, went out and left us.

Q. Did there take place a separation from Chesterfield Monthly Meeting; and if so, when, and in what manner?

A. There did a separation take place in Chesterfield Monthly Meeting in Tenth-month, 1827. In Eighth-month there was a certificate requested for a member, to the Monthly Meeting of Green street, which there were some objections made to, and the request was withdrawn. In Ninth-month the application was renewed, and objected to, as before. It was stated by some Friends, that they had a doubt whether there was such a meeting in unity with Friends. I think it was stated by a Friend who had been to New York and just returned, and who had attended a Monthly Meeting there, and heard a certificate read, and it was received from Green street Monthly Meeting; and Friends being satisfied that there was such a Monthly Meeting, was desirous that there should be a committee appointed to prepare a certificate; but the clerk not being willing to take the sense of the meeting, it was stated by some Friend, that there had better be a Friend appointed that *would* serve the meeting: accordingly, there was a Friend's name mentioned, and united with, by a great number of Friends; and after being requested several times to go to the table, he consented to go; and while on his feet, and just as he was about to start to go to the table, the clerk got up, and read a closing minute; and as near as my memory serves me, there was about one-third of the meeting went out, and the remainder continued together, and finished the business of the meeting.

Q. Was the Friend called upon to act as clerk, Jediah Middleton?

A. Yes. In Tenth-month we all met together, and, I think, part of a committee that were appointed by the Yearly Meeting of 1827. When Jediah Middleton rose to open the meeting of business, it was objected to by one Friend. He stated that he had no wish to serve the meeting in that capacity, unless it was their wish, which there was a number of expressions given in favour of his acting as clerk. I should have said a large number. After a little while Friends was permitted to go on with the business—and after they got through, our friends that were opposed to us, commenced theirs; but not feeling satisfied to go on with their business, they adjourned till next day. In Eleventh-month we met all together, and to prevent unpleasant feelings, Friends gave up for them to do their business first, which they did, and then went off and left us.

Q. And did you continue to do your business?

A. Yes. We continued to do ours. In Twelfth-month it was the same way. They done their business; and then we done ours. In First-month we all met as usual, and they stated that they could not go on with their business, owing to some Friend or Friends being present that

at a right. Friends not knowing of any such being present, stated they did not know of any being present of that description. It was stated that it was one or two, and I don't recollect which, now, Green street Monthly Meeting, who were under dealing in the meeting. Friends were satisfied with their sitting in the meeting—after some considerable time, they concluded to adjourn to the house of Sarah Chapman, in the township of Nottingham.

Who did?

Our opposing friends. Which house they had prepared, as was in the meeting by a Friend the day before. They then left us, and continued so ever since; not in the same house.

But separated from you?

Yes—they have continued separated from us; but have not met in the house ever since. They having the clerk with them, they took books and papers with them.

Have Friends ever since continued to hold a Monthly Meeting at the same time and place, and in the usual order of society?

Yes. And have received the reports from all the Preparative Meetings belonging to that Monthly Meeting, except one. There was one meeting which did not send its reports for some time, but now. The other is a very small meeting when they are all together.

Before the Orthodox party left the house in which Chesterfield Monthly Meeting is held, did Chesterfield Preparative Meeting send its reports to them, or to the regular Monthly Meeting of which Jediah Middleton was clerk?

The reports went up in Eleventh-month, to the Monthly Meeting of which Jediah Middleton was clerk; and if I recollect right, there were no reports or accounts that required to be sent up to the Monthly Meeting in Eleventh-month, from the Preparative Meeting.

Has Jediah Middleton been clerk of Chesterfield Monthly Meeting since his being called to the table in Ninth-month, 1827?

Yes, when did he continue clerk?

I think he continued clerk for better than a year—I don't recollect the time; may be two years—when he wished to be released; accordingly he was, and Aaron Belange was appointed in his stead.

Was there a committee appointed at the meeting held in Ninth-month, 1827, to consider of a suitable person for clerk; and how, and what did they report?

I think there was; and they reported in Tenth-month the name of Jediah Middleton, which was united with by the meeting.

Was David Clark also in attendance at an unusually early hour at the meeting of Tenth-month.

Yes—he was there, somewhere about an hour, I should say, before the time of gathering.

What are the numbers of the respective parties, who belonged to the Monthly Meeting of Chesterfield, at the time of the separation?

I don't know that I can answer that question correctly. I never estimate myself. I think the whole is about one hundred and seventy-three of them are Friends. I am not certain whether of the Preparative Meeting's number, or the Monthly Meeting's.

Q. Was there a separation from the Preparative Meeting of Chesterfield, and if so, state when, and under what circumstances?

A. In Tenth-month, 1827, if I remember right, there were a committee, as they stated, (the Orthodox,) that was appointed in the Quarterly Meeting at Burlington, that separated from the Quarterly Meeting that was held at Chesterfield, and a committee that was appointed in the Monthly Meeting that was held at the house of Sarah Chapman, attended; and when the clerk had opened the meeting for business, he was asked by one of the committee if he was acting for Chesterfield Preparative Meeting, which was subordinate to Chesterfield Monthly Meeting, in conjunction with Burlington Quarter. I think he observed that he acted for Chesterfield Preparative Meeting, that was subordinate to Chesterfield Monthly Meeting, or words to that effect. There was very little more said—and they stated that they could not countenance such proceedings, and had better adjourn, which they accordingly did, to the house of Martha Forsyth, in Nottingham.

Q. Was there any minute made of that adjournment?

A. Not in the meeting.

Q. Was it usual for that meeting to keep records, and enter a closing minute of adjournment, in the same manner as is usual in Monthly and Quarterly Meetings?

A. It has been practised at that Preparative Meeting for a great many years, to keep a record of its proceedings, and making minutes of adjournments as in Monthly and Quarterly Meetings.

Q. Proceed in the answer I interrupted you in?

A. In Eleventh and Twelfth-months our opposing Friends met with us; and in First-month, 1828, when it was time to proceed to business, one of them observed, he thought it was seasonable to close the shutters; (that is, the shutters between the men's and women's meetings,) and as soon as it was done, he, with a little company, withdrew, as we understood, to the house of Martha Forsyth, and they have continued separate, First-day and week-day in a meeting capacity, ever since. I may be a little too fast in saying so of the First-day meeting, ever since; for it might have been a short time after that, when they separated from the First-day meeting; but it was not long afterwards.

[NOON.]

Witness. Before proceeding any further, I wish to correct an error in my answer this forenoon, respecting the separation from the Preparative Meeting of Chesterfield,—I commenced that answer by saying, "In Tenth-month, 1827," &c.; I should have said, in Twelfth-month, 1827, the two committees I then spoke of, attended.

Q. Either in Twelfth-month, 1827, or First-month, 1828, did those who separated, make any minute of adjournment?

A. No; in neither; not in the meeting.

Q. Who was clerk of Chesterfield Preparative Meeting at that time?

A. James Brown.

Q. When was he appointed, and for what time?

A. He was appointed, if I remember right, in Eighth-month, 1827, for one year; which is the usual time of appointing clerks for.

Q. Has the Chesterfield Preparative Meeting continued to meet regular time and place, and conduct its business in the usual society since, as before the separation?

A. Yes; I have seen no difference.

Q. Can you furnish a list of its members, and also a list of those which separated?

A. I have a list of the names of all, except the children; of them I have only the number.

Q. So far as your acquaintance with the members goes, do those lists appear to be correct?

A. As far as I am acquainted with the members, they are.

The lists spoken of by the witness are offered in evidence on the part of the complainant and Stacy Decow, and marked Exhibit D 2, and E 2.

Q. When you stated the numbers of the Chesterfield Monthly Meeting, did you mean to include male adults only?

A. That was all I had reference to.

Q. After those who separated left the Preparative Meeting, did the Preparative Meeting of Chesterfield proceed at the usual time to appoint trustees of the school-fund?

A. Yes.

Q. State when, and refer to the minute?

A. In First-month, 1828.

Q. Is this the minute upon that subject, of that Preparative Meeting? [handing the witness a book of minutes.]

A. This is the minute respecting the settling with the treasurer for 1827; and the following minute is the minute of the appointment of the

Q. New trustees?

A. Part of them were new ones; some of the old were reappointed. It was the practice of that meeting to appoint their trustees in First-month of every year.

Q. Was the appointment of trustees made in the usual way in 1828, and each year since?

A. Yes.

Q. Was Stacy Decow appointed treasurer to the Chesterfield Preparative Meeting school-fund; and if so, when?

A. He was appointed in First-month, 1828, and requested to call on Joseph Hendrickson for the obligations, and monies, and such other papers as belonged to the Preparative Meeting; and there was a Friend, I don't recollect the name now, with myself, appointed to go with him; which we did; but he refused to give them up.

Q. Is that book the Preparative Meeting's minutes, and have you the prior records of that meeting; if so, please exhibit them?

A. This is the book of minutes of that Preparative Meeting; and here are three others, also minutes of the Preparative Meeting of Chesterfield.

The said books of minutes are offered in evidence on the part of the complainant and Stacy Decow, and marked by me Exhibits F 2, G 2, H 2, and I 2, respectively.

Q. Do those trustees of the Chesterfield Preparative Meeting, and the church, ever since the separation, continued to perform their duties respect to their trust, as before the separation?

A. I believe they have.

Q. Have they a teacher employed as before?

A. Yes; and have had nearly all the time ever since the separation.

Q. Has their teacher been employed in the same manner, and for the

same purposes, and with the same views to compensation out of a portion of the income of the Preparative Meeting's school-fund, as before the separation?

A. I believe that the teacher has been employed in the same manner, and with the same care, in the expectation of being compensated in part from the school-fund.

Q. Have those who have separated kept up a school, under what they call their Preparative Meeting of Chesterfield?

A. Not that I ever heard of. The first Second-day of Second-month, 1828, was the time appointed for the trustees to attend the school. I being one of the trustees for that year, attended the school on that day, I think; and if I remember right, there were seven Friends attended, and seven of our Orthodox Friends; and after the school was dismissed, they informed the teacher in our presence, that they should no longer consider him the teacher of that school, after the expiration of that quarter. He replied to them that he did not consider them the regular trustees of Chesterfield school, for he was present in the Preparative Meeting when others were appointed; and they never attended there, nor have taken no charge of the school, that ever I have understood, from that time to this. When the master's or teacher's time expired, we engaged him for another year.

Q. Has the Chesterfield Preparative Meeting the exclusive interest in, and control over, this school fund, for the purpose of fulfilling the trust contained in the original subscription?

A. It has always been considered so.

Q. Has the Chesterfield Monthly Meeting on any occasion declined to exercise a control in respect to that fund?

A. That I must refer to the records. On examining the minutes of Chesterfield Monthly Meeting, under date of 4th of Ninth-month, 1798, the following minute is found, viz. "Trenton Preparative Meeting proposed to this meeting for consideration, whether it might not be right to have a division of the fund that has been established for a school in and by the Preparative Meeting of Chesterfield; which after consideration, the following Friends were appointed, to wit, Benjamin Clark, Joseph Horner, Joshua Bunting, Benjamin Linton, Robert White, John Taylor, and Samuel Craft, to report their sense thereon to next meeting." And under date of 2nd of Tenth-month, 1798, in the same records, is the following minute, "the committee appointed to consider the propriety of a division of the fund established for a school at Chesterfield Preparative Meeting, agreeably to the request of the Preparative Meeting at Trenton, produced the following report in writing, to wit, 'we the committee appointed by the Monthly Meeting to consider the request from Trenton Preparative Meeting, respecting the division of the fund for the support of a school in the Preparative Meeting of Chesterfield, are of the mind that the Monthly Meeting hath no power to divide any part of the subscription thereof; yet we advise Friends of Chesterfield to consider them when they may open a fund for the support of a school, agreeably to the direction of the Yearly Meeting,' (signed by said committee,) which being twice read, was approved."

Q. Can you give a statement of whom among the members of either meeting, claiming to be Chesterfield Preparative Meeting, are original subscribers, and their descendants, to the school fund of Chesterfield Preparative Meeting?

A. I have a list of the original subscribers, to the school fund of Chesterfield Preparative Meeting. This is a copy of the list of original subscribers, and a list of the number of those that were living at the time of the division, and the number of the children of each party of those of them that were deceased: with the amount of the money subscribed by each one.

The paper spoken of, is offered in evidence on the part of the complainant and Stacy Decow, and marked by me Exhibit K 2.—[See Appendix.]

Q. Are all subscriptions or payments for the meetings of the Society of Friends entirely voluntary on the part of the members?

A. Yes.

On reading over the testimony, the witness adds, I would wish further to correct my answer, this forenoon, relative to the separation from Chesterfield Preparative Meeting. I do not think there was any thing said about *adjourning*; they said they "could not countenance such proceedings," and then went off and left us.

And the said Josiah Gaskill being cross-examined on the part of Joseph Hendrickson, further saith, viz:

Question by Mr. Sloan. How long previous to the separation spoken of, had you been a diligent attendant, and actively engaged in the administration of the duties of meetings for discipline?

A. I am sure I can't tell; it was a number of years.

Q. When did the separation in the Burlington Quarter take place?

A. I think it was in Eleventh-month, 1827.

Q. Did you at the time make any computation of the numbers of those who adjourned and left the meeting house, and those who remained, respectively, at the time of that adjournment?

A. I did not count either; but from what staid in the meeting and returned after they had adjourned, there was no doubt on my mind, but what there was somewhere near two-thirds left.

Q. At the Monthly Meeting of Chesterfield, held in Ninth-month, was not the meeting informed by a respectable Friend, that he had himself been present at the Philadelphia Quarterly Meeting of which Green street was a member, when that meeting had been laid down as a Monthly Meeting, by its Quarter?

A. There was something said by a Friend on that subject; and there was something said by another Friend, if I remember right, with respect to its being attached to Abington Quarter: and Friends being fully satisfied that no Quarterly Meeting could lay down a Monthly Meeting without its consent, and was well satisfied that Philadelphia Quarter had never the consent of Green street, or the Friends of Green street Monthly Meeting, to lay it down, therefore it could not be done.

Q. Under the discipline of the society, is not a Monthly Meeting subordinate to the Quarterly Meeting, of which it is a member, and accountable to it for the regularity of its proceedings in the order of society?

A. In the peace and harmony of the society, Monthly Meetings according to my apprehension, are *in some measure*, subordinate to Quarterly Meetings.

Q. Is there any case mentioned, or prescribed by the discipline in which that subordination should cease?

A. I don't know that there is. Discipline, or whether discipline was

formed, I have no idea that they who formed it, ever thought of guarding against such proceedings as have been in the society since 1827.

Q. If an inferior meeting conceives itself to be aggrieved by the decision of its superior meeting, touching its proceedings, does not the discipline prescribe the mode of redress, by giving an appeal from such decisions?

A. I don't know that I know the words of the discipline; but if I understand it, it leaves it at its option to appeal or not to appeal.

Q. Under the discipline then, if the right of appeal is not exercised, is not the inferior meeting to submit to the decision of the superior?

A. As I stated before, in the harmonious state of society, it would be considered so.

Q. Was it stated, or pretended, in the meeting alluded to, at Chesterfield, that Green street Monthly Meeting had been united to Abington Quarter, with the consent and approbation of the Philadelphia Quarter to which it had been attached?

A. I don't think there was any thing said about that; and as I stated, I don't know that my recollection is correct, with respect to that being the time that it was mentioned that Green street Monthly Meeting was attached to Abington Quarter: if it was, I have no recollection of any thing being stated, with respect to the consent of Philadelphia Quarter.

Q. Would it be regular, under the discipline, to grant a certificate to a Monthly Meeting, which had been regularly laid down by its Quarter?

A. I think not.

Q. Under the discipline, has one Quarterly or Monthly Meeting, a right to review the proceedings of another Quarterly or Monthly Meeting, and to affirm or annul decisions come to by them?

A. I don't think they have.

Q. What other business was transacted at the meeting spoken of, after Jediah Middleton was called to the table, besides the minute alluded to?

A. I think there was a committee appointed to think of and bring forward the name of some Friend to serve that meeting as clerk, and also one to assist him. I don't recollect of any other. There was a committee also appointed to prepare the certificate of the member to Green street.

Q. Had the period for which David Clark had been appointed clerk, expired?

A. No, I don't apprehend it had. It was not on that ground that it was necessary to appoint a new one; but because he certainly did neglect to take the sense of very much the largest part of the meeting, and it was very evident that he was willing to serve a very small number that was present, in preference.

Q. Whose duty is it to collect the sense of the meeting.

A. I think it is the duty of the clerk, to collect the sense of the meeting; and I also do think, that it is a privilege that the meeting has to judge, whether he takes the right sense of the meeting or the wrong.

Q. Is not that sense to be gathered under the discipline and order of society?

A. Yes, where the discipline is called in question; but at that meeting, if I am not mistaken, if not that, it was one very near it, the discipline

tested to be read by several Friends; but it was refused, and if my recollection serves me right, by the voice of one or two and not suffered to be read.

Was that in the Monthly Meeting?

Tell, I can't say for certain; it was either that or one very near it. I say for certain, whether it was in the Monthly or in the Pre-Meeting.

In a case where there appeared to be a diversity of sentiment, and I was persuaded that a measure advocated by one party was *in* the discipline, and the other in conformity with it, which should be his duty to record as the sense of the meeting?

I have no doubt, if the clerk stood entirely off from all *parties*, that I take the sense of the *majority* for the sense of the meeting. I have more than once, or heard it repeated by clerks, where there were cases brought before Monthly Meetings, and that Friends did not all think just alike, that he has stated that he was at a loss as to the sense of the meeting, and wished Friends to express their sentiment, and which ever way the larger part of the meeting went, the clerk always gave up, and it was recorded in that way, until this division took place; and which I do believe is the duty and the way for a clerk to decide.

When the question is again read to the witness, when he further answers—He ought to decide as he thought was right; that is a liberty which a clerk has.

Has the Society of Friends ever adopted the rule of deciding by a majority of numbers?

There is no rule in the society to that import, that I ever

have seen it been the usage of the society to consider all its members as of equal weight in their deliberations in meetings for discipline? As respects the *weight*, I don't know any method of weighing it; every member has equal right and equal privilege to a voice in the

meeting. Has it recently been the usage for all the members of the society to take an active part in the meetings for discipline?

Neither is it now, by a great ways. But I have frequently seen young Friends request young Friends to speak to the business of the meeting; that their voices would be of great strength; till very lately I have been requested or told that they had better not speak to the business or words to that effect.

Do young Friends do you mean to speak generally of *all* who were admitted to a right of membership, or those only whose serious deportment and diligent attendance on meetings for discipline, gave evidence of being duly impressed with a proper sense of the duty they were bound to perform?

I would suppose from what I have heard addressed to the young Friends on that subject, alluded to those that felt a concern, or had a desire that they would like to open to the meeting.

When Jediah Middleton was called to the table, had David Clark been at his station as clerk?

He remained until 10 o'clock to-morrow morning.

Wednesday morning, March 30th, 10 o'clock. Cross-examination of Josiah Gaskill continued. Present as before.

Mr. *Sloan*. We now call on the opposite counsel, to produce the minutes of the Chesterfield Monthly Meeting.

Mr. *Price*. The book is here, and we now produce it, in obedience to the call of the counsel.

The said book of minutes is offered in evidence on the part of the complainant and Stacy Decow, and marked Exhibit I. 2.

Question by Mr. *Sloan*. When Jediah Middleton was called to the table in Ninth-month, was he requested to take the table merely for the purpose of making that minute, or was he appointed generally as clerk of the meeting?

A. I consider that he was appointed as clerk for the meeting, on this account of David's not acting for the meeting.

Q. For what period was he appointed?

A. Until there could be another one appointed; or he reappointed, according to the order or custom of the meeting, I took it.

Q. Had David Clark, previous to that time, served the meeting acceptably as their clerk?

A. I don't recollect of any objections being made to him, neither before nor at that time; only that he wouldn't or didn't act for the meeting.

Q. Did the meeting unite in making the request of him so to do?

A. I don't know that I can recollect the particulars that passed in the meeting; but there was a large number that expressed their wish that the committee should be appointed to prepare this certificate to the Monthly Meeting of Green street; and I think not more than two or three that seemed to say any thing against it. And it was stated by some Friends, that if he could not serve the meeting, that there had better be some one appointed in his stead, which was done.

Q. Were not a large proportion of those who advocated the appointment of the committee, persons who had not previously been in the habit of taking a part in the meetings for discipline?

A. I think not.

Q. Is there any thing in the discipline of the society, authorizing a meeting to displace their clerk during his term of office, unless he has been guilty of some infraction of the discipline, which has brought him under the censure of the meeting?

A. As to that, you have the discipline—that can better explain it, than I feel myself able to do.

Q. Have you ever before known an instance of a meeting appointing a clerk, in the presence of an acting clerk at the table, and thus supplanting him without any previous care being extended to him?

A. I don't think I ever did; nor neither did I ever know an instance where it was necessary to do so before.

Q. You say that this application had been made in Eighth-month, and was withdrawn; and that it was renewed in Ninth-month,—what were the peculiar circumstances of that case, which made it necessary to take so decided a step at that time?

Witness. In Ninth-month is thee alluding to?

Counsel. Yes.

A. For my part, I supposed that there had been time enough given for the meeting to come to a conclusion, whether to grant the certificate

Q And the Friend applying for the certificate was desirous that
 he should have one to the Monthly Meeting at Green street.

A Was the application for a minor?

Yes, if I am not mistaken.

Q Was David Clark dealt with by that meeting, or in any way called
 to account by it, for his proceedings on that day?

A I don't recollect that he was, any further than he was released
 from his office, and two other Friends with myself were appointed to
 receive from him the books and papers belonging to that meeting, which
 he declined giving up at that time.

Q Did he ever do it?

A No, he has not yet.

Q Did he not assign as a reason for not doing so, that he had been
 elected clerk of that meeting for a term then unexpired?

A No, he made no such observations, according to my recollection.

Q What reason did he assign?

A There was very little passed. We met him on the road as we
 were going to his house: he stated that he was in a great hurry to get
 to London on some business; but if we wished him to go back to the
 meeting, I think he said he was willing to go. But as he appeared to be
 in a hurry, we thought we could do our errand with him where we met
 him, and stated what it was; and I think he replied that we could not
 do so. There was something more said with respect to the society,
 but I think nothing more with respect to the books; and we parted.

Q Did not he tell you that your proceedings had been in violation of
 discipline?

A I don't recollect them words.

Q I am not asking you for precise words; I am asking for the sub-
 stance of his answer?

A That was, that we could not have them.

Q Did the committee who were appointed on the subject of the clerk,
 upon David Clark between the meetings of Ninth and Tenth-months,
 know whether he intended to continue his services, or obtain any in-
 struction from him as to the course he had taken?

A As to what the committee done, I do not know, as respects that.

Q Were they appointed for that purpose, or was the sole object of
 their appointment to name a person for clerk?

A The minute of their appointment will show that. For my own
 part, I do suppose it was to propose the name of a suitable Friend to
 be elected clerk of the meeting, and one to assist him, and no further.

Q Were you one of that committee?

A The minute will show that; for my part, I don't recollect.

Q Why is it that your recollection avails you as to the committee
 elected in Tenth-month, on the same subject, and not as to the Ninth-
 month?

A Because I have had reference to one, since I have had to the other.

Q Do I understand you then, that in speaking of these proceedings,
 you speak from a reference to the minutes, and not from your recollec-
 tion of them as they occurred at the time?

A This is in one particular case—instance—that I happened to open
 the book this morning and saw that minute, which brought to my re-
 membrance the conversation that took place with us and David; and I
 can state the place also if it was necessary.

Q. Will you state to me under what authority the meeting acted in making that minute of releasement of their clerk, without his consent; was it under the discipline, or justified by the custom and usages of the society?

A. I consider that it acted under the authority of Chesterfield Monthly Meeting, which, I believe, had the right to do as they thought was right, in that respect.

Q. Did Chesterfield Monthly Meeting at that time profess to be acting under the discipline of the society?

A. As to the manner prescribed in the discipline, I am not well enough acquainted with it to enter into an explanation on that point. I should say they did profess to be acting under it.

Q. Were they not then bound by the provisions of the discipline?

A. I should consider they were.

Q. Could they do any thing in contravention of the discipline, without a breach of the good order of society?

A. It certainly would be out of order for Monthly Meetings to do any thing contrary to discipline.

Q. Was not the appointment of that committee, and the subsequent proceedings, contrary to that provision of the discipline, which says, "a committee should be *annually* appointed in each of our Quarterly and Monthly Meetings for the nomination of clerks?"

A. I think not—because there is nothing provided in the discipline, as thee has stated, for to change the clerk; but what will be the consequence, therefore, as I understand, it is left optional with the Monthly and Quarterly Meetings to change their clerks whenever they should think it necessary; but that they should be appointed once a year.

Q. Arbitrarily, and without cause, do you mean?

A. I have no recollection of that's ever being done.

Q. Did David Clark attend as usual as the clerk of that meeting in Tenth-month, with the minutes?

A. David Clark attended that meeting in Tenth-month, but not as clerk for that meeting, but only for a small part of it, who had separated, or went off with him the month before.

Q. Do you mean to say, that he did not attend there with the minutes of the meeting for the purpose of acting as clerk?

A. I thought I had stated that he did attend there, and did act for that part, with the minutes, that separated with him the month before, but not for the Monthly Meeting of Chesterfield.

Q. Did he not regularly open the meeting in the presence of you all, as the clerk of Chesterfield Monthly Meeting, or claiming so to be?

A. After Friends had gone through with all the business of the Monthly Meeting that they could, without the old minutes, he did open, or read such a minute; and after it was opened, I think it was proposed by Samuel Craft, that the meeting had better adjourn; (this was in Tenth-month,) and no time being fixed of the adjournment, and I myself knowing that there was a case on the minutes that would not admit of a delay of more than one day—I felt it my duty to mention it in the meeting, which I did, and as soon as I had done it, one of the Yearly Meeting's committee replies, "did you ever see the impudence," and repeated it, and said, "thee has no right to speak a word;" and then they made an adjournment till next day.

Q. Did you mention the case that was on the minutes, in order that it might be acted upon, and disposed of at that time?

A. I had no expectation of its being acted upon at that time, but merely that the adjournment that they were about to make, might be so ordered that they would attend to it, as we had not the minutes to do it.

Q. Did you attend the next day?

A. I was there the next day.

Q. Did not Samuel Craft, when he proposed the adjournment, state that he did so, because there were those present who were not entitled to sit in the meeting?

A. If my recollection serves me, he stated that he did not think the meeting in a suitable state to do business, and afterwards there might have been some objections, on the account of some person, as they alleged, being present that had not a right to sit.

Q. When David Clark entered the meeting in Tenth-month, was Jediah Middleton at the clerk's table?

A. I think he was. I am not certain whether David Clark entered the house with a number of other Friends; after he got there, there was a number of Friends, men Friends, got together in the women's end of the house, some considerable time before the hour. Whether David came in that way or not, I don't know; I did not see him come in.

Q. In Tenth-month, when those whom you call Friends proposed proceeding with the business of the meeting, by Jediah Middleton opening as clerk, was it not protested against as irregular and inconsistent, that David Clark was the clerk of that meeting?

A. I think not. Samuel Craft requested him, Jediah Middleton, that he might pause a little bit—he repeated it over several times, that he would “pause a little bit,” and “not be in a hurry.” I don't recollect any other Friends speaking to the subject, till after Jediah Middleton stated, that he did not wish to serve that meeting as clerk, unless it was their wish. I thought it caused a general expression of their wish for him to serve the meeting as clerk. Then there was something more said by our Orthodox Friends, but pretty soon we proceeded with our business.

Q. After you had ceased to occupy the attention of the house, did David Clark proceed to open the meeting in the usual way, as the Chesfield Monthly Meeting?

A. He did so, for a small part, as I said before.

Q. After the proceedings you have spoken of, did he make a minute of adjournment?

A. I think it's like enough he did; I have no recollection, though, of it.

Q. In Eleventh and Twelfth-months, at which the proceedings took place you have spoken of, did David Clark attend with the minutes, and act as clerk?

A. He did, as he did the month before, I believe.

Q. In the meeting of Ninth-month, what other business was transacted by those whom you call Friends, after the minute of adjournment made by the clerk, besides that spoken of relative to the certificate, and the committee to name a clerk?

A. The minutes will speak for themselves: not recollecting yesterday, I stated with regard to this question, I think there was one more minute made that I did not mention, and which the book will show.

Q. Will you refer to that book, and say whether the minute was not

made in the following words: "The epistle from the meeting of Friends, held at Green street, Philadelphia, in Sixth-month, last, being read, weightily considered, united with, and recommended to the particular attention of Friends?"

Witness. [Referring to the book of minutes, and comparing answers,] Yes.

Q. Was there not also the following minute made, viz: "It also being proposed to appoint representatives on behalf of this meeting, to attend the contemplated Yearly Meeting to be held in Philadelphia in Tenth-month next, which, after consideration, is referred to our next meeting;" and did you not at the next meeting held by you, appoint such representatives?

A. I think we did: and the minute read in the question was made.

Q. Did those representatives attend the meeting in pursuance of their appointment, and so report?

A. They all attended the Yearly Meeting of Friends held in Tenth-month, 1827, with the exception of one, who was prevented by indisposition.

Q. Was it not understood, before the meeting of Ninth-month, that these subjects would be brought before that meeting?

A. I never understood that it was concluded on for certain, when they would be brought before the meeting, until the day that they were brought.

Q. Were not these the peculiar circumstances which led to the change of your clerk, just at that time?

A. I think not; there had been nothing mentioned in the meeting that I recollect, with respect to appointing representatives, until that day after they had left us.

Q. Had nothing been said out of meeting?

A. I can't account for what has been said out of meeting.

Q. Had not John Comly and others had meetings or conferences with your party on the subject of the appointment of these representatives, before that meeting?

A. I have no recollection or knowledge of John Comly, or any other Friend that was not a member of that meeting, having any meeting of conference at Chesterfield Monthly Meeting: Friends, members of that meeting, had some meetings, and John Comly, I think, attended one; and there might have been other Friends, but they had no hand in appointing the meetings, or say, that I know of.

Q. I don't care who appointed the meetings; do you, or do you not know of any meeting of persons, prior to that meeting of Ninth-month, in which the subject of appointing representatives to that meeting in Green street was agitated, discussed, or concluded upon?

A. As I stated before, there was meetings appointed by the members of Chesterfield Monthly Meeting; I think likely prior to the said meeting of Ninth-month; I cannot recollect the time now: if it was, I think that subject might have been talked about; that subject of appointing representatives. But I don't recollect any *positive* conclusion come to, until the Monthly Meeting in Ninth-month, or Tenth-month, rather: it was proposed in Ninth-month, and referred over.

Q. Do you mean to say, that there was no understanding amongst those with whom you acted, that you should attach yourselves to that meeting in Green street, prior to Tenth-month?

A. As I have stated that there was no positive conclusion come to.

on my own part I considered that I was a member of that Yearly Meeting which was held in Tenth-month, 1827; that there was never any thing decided, that I recollect, of attaching ourselves to any other meeting than the Yearly Meeting of Friends, held in Philadelphia.

Q. Where at, and at what period?

A. That I can't tell all, for I didn't attend: I attended the one at Green street in Tenth-month, which adjourned to the second Second-day in Fourth-month following, and has continued to hold its yearly sittings, the men's meeting at Green street, and the women's meeting at Cherry street, ever since, on the second Second-day of Fourth-month, annually.

Q. Had you previously considered yourself a member of the Yearly Meeting held in Arch street on the third Second-day of Fourth-month?

A. Yes.

Q. Was it not understood, either in the meeting or out of it, that to set your views, it would be necessary to remove the existing clerk, David Clark, and appoint one of your own party?

A. I never heard it spoken of, in meeting or out, I think, until the 1st of Ninth-month, that that would have to be the case; and not then, I refused or neglected to serve the meeting.

[NOON.]

Q. Had the Monthly Meeting of Chesterfield ever before appointed representatives to a Yearly Meeting?

A. I don't know that it had.

Q. Had you ever before known a Monthly Meeting to do so?

A. Not that I recollect of.

Q. Why was it then done by Chesterfield Monthly Meeting?

A. My idea was, on the subject, that they had a right to do so, as a Monthly Meeting.

Q. Under the discipline of the society?

A. As to the discipline of the society, as I said before, I am not enough acquainted with it (you have that,) to explain it.

Q. Was the appointment made without reference to the discipline?

A. As to that, I can't say.

Q. Were you one of the representatives appointed?

A. The minute will show who the representatives were.

Q. Have you no recollection yourself, on the subject?

A. If I have, and there is better, or as good evidence offered as I am, it is better to take it, than for me to undertake to explain, lest I should be mistaken.

Q. Why has this change taken place in your views, since the adjournment to dinner?

A. I didn't know that there had any change taken place.

Q. Will you then answer my plain question, whether you have no recollection of being one of the representatives?

A. According to my recollection, I was.

Q. From that period until the present time, has the Monthly Meeting which you are a member, continued to be subordinate to, and acknowledge itself to be a member of, that meeting which has been held by adjournments at Green street, as you have stated, ever since?

A. The Monthly Meeting which I am a member of, does consider all members of Burlington Quarterly Meeting, which considers itself

members of the Yearly Meeting of Friends, held in Philadelphia, on second Second-day of Fourth-month, at Green street.

Q. Does that Monthly Meeting continue to send representatives to the Yearly Meeting spoken of?

A. That Monthly Meeting continues to send representatives to Burlington Quarter, and Burlington Quarter to that Yearly Meeting.

Q. When was the practice of sending representatives directly to the Yearly Meeting, abandoned by the Chesterfield Monthly Meeting?

A. The minutes will explain that better than I can.

Q. Will you refer me to the last minute of their appointment? [handing the witness the book of minutes, marked Exhibit L 2.]

Witness. (After examining the minutes,)—According to the minutes, they only appointed representatives to attend the Yearly Meeting once.

Q. Why have they ceased to send representatives?

A. I don't know that I can answer that question; believing that I am not required so to do.

Q. You have said, that the Monthly Meeting appointed representatives, because they had a *right so to do*; why was it that that Monthly Meeting exercised that right at that particular juncture, never having before done so, and as you now state, never having since done it?

A. I don't suppose, from what little information I have, that it was ever necessary before, nor has not been since.

Q. Why was it *then* necessary?

A. I suppose on the account of the unpleasant situation of the society.

Q. Was not Burlington Quarterly Meeting then in existence?

A. Yes.

Q. Had it not been in existence for many months previous?

A. Yes.

Q. Had not a sitting of the Burlington Quarterly Meeting occurred between Sixth and Tenth-month, 1827?

A. Yes.

Q. Was any appointment of representatives to the meeting in Green street then made or proposed to be made?

A. I don't know that I attended that Quarterly Meeting; therefore I can't say.

Q. Have you ever heard by general repute, that such a proposition was made?

A. I don't recollect that I have.

Q. Was it stated or pretended in the Chesterfield Monthly Meeting of Ninth-month, that any such proposition had been brought before the Quarterly Meeting?

A. I don't recollect that it was.

Q. What then do you mean by saying, that it had become necessary for the Monthly Meeting to exercise this power of appointment, which was vested in the Quarterly Meeting by the discipline and usages of the society?

A. I answered that; it being occasioned by the unpleasant situation of the society.

Q. Had not that situation existed for some time before the Quarterly Meeting?

A. Not in our meeting, to so great an extent.

Q. Under the discipline and usages of the society, has a Monthly Meeting the right, without the concurrence of its Quarterly Meeting, to

olve its connexion with one Yearly Meeting, and appoint representatives to another?

A. I should not suppose that it could, nor I never knew of an instance its being done.

Q. Could the Monthly Meeting dissolve its connexion with its Quarterly without its concurrence?

A. I believe that it could.

Q. In conformity with the discipline?

A. As to that, I can't explain.

Q. In speaking of the *rights*, then, of the Monthly Meeting, and of what it might do, am I to understand you as speaking without reference to the discipline on the subject, but giving only your own views and opinions?

A. In speaking of the *rights* of the Monthly Meeting, it was my views with respect to the discipline, that governed the meetings; but at that time the discipline did not appear to be the rule of our Orthodox Friends.

Q. Was it yours?

A. I believe that Friends were very desirous to support the discipline in every part.

Q. Did they do it?

A. That I must leave.

Q. Will you state what rule of discipline was violated by your Orthodox Friends, as you style them, in the Monthly Meeting of Ninth-month, 1837?

A. I don't know that I can; but one thing that was not according to the order of society, was, the clerk's closing the meeting, or reading a closing minute, without being requested by the meeting to do so.

Q. Have you any knowledge of any other rule of discipline respecting the appointment of representatives, than that which requires "a suitable number of men and women to be appointed in each Monthly Meeting, to attend the service of the Quarterly Meetings, with such reports in writing, signed by their clerks, as may be given them in charge, also, that at least four of each sex be appointed in each Quarterly Meeting to attend the Yearly Meeting." [Pages 33 and 4 of discipline, Exhibit B. 13.]

A. As I have stated before, I don't consider myself well enough versed in the discipline, and cannot say any thing on the subject.

Q. Do you know who was the agent for the asylum of that meeting, at the time of the separation?

A. That is a concern that I never knew any thing about; though I believe Samuel Middleton was agent for that Monthly Meeting before the separation; and if I mistake not, about the time of the separation Samuel Bunting was appointed; but it is what I never concerned myself about.

Q. Was he not appointed at the adjourned sitting of Tenth-month?

Witness. Who, Samuel Bunting?

Counsel. Yes.

A. I think not.

Q. Do you know who succeeded him in that appointment?

A. If my recollection serves me, I was appointed after the separation.

Q. Immediately after?

A. I cannot recollect how long it was after: believing it not necessary to pay particular attention to it at that time.

Q. Was Samuel Bunting in unity with those whom you call Orthodox, from the time of the separation?

A. Yes.

Q. Will you refer to the record of your meeting of Tenth-month 7th, 1828, [Exhibit L 2,] and say whether it was not at that meeting, that you were appointed to act as the agent in the place of Samuel Bunting?

A. On referring to the record—Yes, that was the time.

Q. Did not the treasurer of the Chesterfield Monthly Meeting, of which you are a member, report in Twelfth-month, 1827, to the meeting, that he had paid to William Allinson the quotas of Chesterfield and Bordentown Preparative Meetings, of the monies received for the coloured people in Carolina, as directed, and was not a minute made to that effect?

A. There was.

Q. Chesterfield Preparative Meeting raised its proportion, did it not, and paid it over?

A. Yes.

Q. In the minutes of Chesterfield Preparative Meeting, held at Chesterfield the 28th of Sixth-month, 1827, is not the following minute contained, viz: "The extracts from our late Yearly Meeting, were produced and read, Samuel Middleton, Thomas Ballangee, Jacob Satterthwaite, and Edward Thorn are appointed to collect our quota of \$3000, ordered to be raised by the Yearly Meeting for the relief of the blacks in North Carolina, and pay it to our treasurer, who is directed to pay it to the treasurer of the Monthly Meeting, and report to next meeting." And is not that committee continued by minute of the next meeting, and in the meeting of 30th of Eighth-month, 1827, was not the following minute made: "Our treasurer reports on behalf of the committee, that this meeting's quota of \$3000, directed by the Yearly Meeting to be raised for the relief of the people of colour in North Carolina, is paid in, and that he has paid the same to the treasurer of the Monthly Meeting"—And a similar entry made in Ninth-month, with the further direction to the clerk to forward the information to the next Monthly Meeting?

A. Yes, it is so.

Q. Were the extracts, and the direction there alluded to in those minutes, the extracts from the Yearly Meeting, held on the third Second-day of Fourth-month, preceding, in Arch street, Philadelphia?

A. I expect they were.

Q. Is a Preparative Meeting necessarily a meeting of record?

A. They are at liberty to keep records—some do, and some do not; but it is a more common thing of latter years than formerly.

Mr. Sloan. I must now ask for the minutes and records of a meeting purporting to be Burlington Quarterly Meeting, since the separation, a written notice to produce which has been timely given the opposite counsel.

Mr. Price. In obedience to the call of the counsel, we have here the book of minutes of Burlington Quarterly Meeting, held at Chesterfield; and which we offer in evidence, on the part of the complainant and Stacy Decow.

The book is marked by me Exhibit M 2.

Q. A book purporting to be minutes of Burlington Quarterly Meeting, is now produced—Is that the minutes of the Burlington Quarterly Meeting, of which you have been speaking?

Witness. (Examining the book,) Yes.

Q. I perceive the first minute made in that book, was on the 27th of Eleventh-month, 1827; was that the period spoken of by you when the separation took place?

A. Yes.

Q. Had the Burlington Quarterly Meeting, previous to that time, been held alternately at Burlington and Chesterfield?

A. That had been the practice; but if I remember right, at the close of that meeting, in Eleventh-month, it was thought best to adjourn to meet at that house again the next three months, or the next Quarter—to prevent if possible the unhappy effects which had been produced at that meeting; and our Orthodox Friends have held their Quarter, as I have understood, in Burlington ever since.

Q. Have you also understood by general repute, that they send representatives to, and maintain their connexion with, the Yearly Meeting held for many years, past, in Arch street, Philadelphia?

A. I have never heard no report that I recollect of on that subject.

Q. Does the meeting held at Chesterfield, the minutes of which are produced, send representatives to that meeting?

A. They have sent representatives to the Yearly Meeting of Friends, held in Philadelphia in Fourth-month, ever since. The second Second-day in Fourth-month.

[The question is again read to the witness, when he further answers:]

—The representatives from Burlington Quarterly Meeting, in Fourth-month, 1828, have been sent to the Yearly Meeting of Friends held in Philadelphia at Green street, instead of Arch street. The same Yearly Meeting, but not the same house.

Q. Is it the same Yearly Meeting, whose extracts you received and made the minutes, last above quoted, in relation to?

A. I do consider it the same Yearly Meeting.

Q. And that you consider the Yearly Meeting of Friends?

A. The Yearly Meeting at Green street, I consider the Yearly Meeting of Friends.

Q. And because it is the same Yearly Meeting, which, prior to 1827, had been held in Arch street?

A. Yes.

Q. Had Mount Holly Monthly Meeting, or those claiming to be the Mount Holly Monthly Meeting, withdrawn themselves from Burlington Quarter, and attached themselves to Bucks Quarter, some time before the separation?

A. I am not acquainted with Mount Holly Monthly Meeting's proceedings. I don't know that I attended one meeting there in that year; therefore, I can say nothing about it.

Q. I do not ask you after the proceedings of that meeting, was the fact so?

A. I understand it was so.

Q. Was it with the consent of the Burlington Quarter?

A. I don't expect it was.

Q. Was it consistent with the discipline or usages of the society, for them to do so?

A. Not in the harmonious state of society. I should suppose it would not have been considered so.

Q. Has that meeting been attached to the Quarterly Meeting, of which you are a member?

A. That Monthly Meeting has been again attached to Burlington Quarterly Meeting, of which I am a member.

Q. Before it was united with your meeting, was not the consent of Bucks Quarterly Meeting first asked and obtained; and the following minute made on the reading the report of the committee, appointed to inquire into the subject by the Mount Holly Monthly Meeting, certified by its clerks to Bucks Quarterly Meeting, in the records of that meeting, and transcribed into the record now produced and made an exhibit in this cause, to wit: "which being read and considered, this meeting agrees that if way open, they, [the Mount Holly Monthly Meeting,] should be again united to Burlington Quarterly Meeting as proposed. Samuel Comfort, Benjamin Lloyd, Michael Trump, Samuel Swain, and Elijah Fish, are appointed to attend said Quarterly Meeting, with a copy of this minute, and report to next meeting." And did not your Quarterly Meeting add the following minute, viz: "which being here read, was united with, and Mount Holly Monthly Meeting, accepted as a branch of this Quarter?"

A. Yes, it is so.

Q. Did I understand you to say, that the school fund had been created *entirely* by the voluntary contributions of individuals?

A. No. I know nothing further how that fund originated, than from the subscription that was produced.

Q. Was not that fund originally created at the suggestion of the Yearly Meeting?

A. I never understood that the Yearly Meeting had any thing to do with creating that fund.

Q. Am I to understand then, that your views on that subject are based upon the idea, that this fund originated with that Preparative Meeting, and was created by the contributions of its members?

A. In that subscription there is a statement of part of the fund being Chesterfield's quota of the Quarterly Meeting's stock, I think it is, belonging to that Preparative Meeting: the rest of it was raised by individual subscription.

Q. How many of the original subscribers to that list you have produced, were members of that particular meeting, at the time of the separation?

A. There was but very few of them living at the time of the separation: from the best information I had, not more than three or four of them were living. I don't know how many of those were members of that particular meeting.

Q. Can you state who the survivors were, that were so?

A. If I saw the list, I would. [The list exhibited by the witness, and marked K 2, is shown him, when he further answers:]—I think Rhoda Tilton, and Gideon Middleton, were all. They were all that I know of.

Q. How did they stand at the time of the separation?

A. I was not particularly acquainted with the two Friends, but it appears from the way that that paper is made out, that one took one side, went with the Orthodox, and the other with Friends.

Q. Was this list prepared by you?

Witness. By me?

Counsel. Yes.

A. No.

Q. What knowledge have you of its correctness?

I believe, for any thing that I have seen, that it corresponds with a of the original subscription that I saw.

I ask you what knowledge you have of the correctness of this appointment, if the list was not prepared by you?

As far as I am acquainted with the families of those that are dead, I believe it to be correct.

Did you know Samuel Abbott?

I knew him by sight.

Where did he live at the time of the separation?

I don't know that I can tell.

Did you know Elijah Field?

I was acquainted with Elijah Field—I expect it's the same one, twenty-four or five years ago.

Have you never seen him since?

If I have, it has been a great while ago.

Were not Samuel Abbott, and Elijah Field, both so infirm for years before the separation, as to be unable to attend meetings on either side?

As for Elijah Field, I can say nothing about. Samuel Abbott had, as I understood, some time before his death, very infirm.

Have not his children always remained with those you call Orthodox and did not he live with them at the time of his death?

I am not acquainted with his children; some of them do go with Orthodox, them that I do know. But I am not acquainted well enough with the family, to say how it is with them all.

Has he not been put down in this list as being one of your party?

Yes. I don't know that I ever saw the old man after the separation but I have been told by them that had seen him, that he was in with Friends.

That then is all your authority for exhibiting him on that side of the question?

I give all mine.

Who prepared this list?

I don't know that I can tell. I believe that there was one or two engaged in doing it; two or three, I should say.

Have you any other knowledge of Elijah Field's sentiments, than what you have been told?

No, I have not.

Were you ever told he was with you at all?

I think it was told me that he was so.

By whom?

I think Jediah Middleton.

I perceive that this list professes to class the children of deceased persons; upon what principle was it made out in this respect? was any application made to the several individuals to know how they stood?

I do expect it was made out from the knowledge the Friends had of the different families.

Was it made out entirely by those on your side of the question?

I expect it was.

In making out this list, why were those included who were not members of Chesterfield Preparative Meeting?

In order to show who the subscribers were; and that subscription

was made out, as I have understood, when all the subscribers were members of that Preparative Meeting.

Q. Do you mean this apportionment, and ranging them in classes, under the banners of the respective parties?

A. No. I mean the original subscription.

Counsel. That was exhibited here more than six months ago. In the exhibit produced by you, marked D 2, purporting to be a list of the Friends of Chesterfield Preparative Meeting, I find the name of Thomas L. Shotwell, with a pencil mark over it; is that intended to be an erasure?

A. Yes.

Q. Is that the same Thomas L. Shotwell who is the complainant in this bill, and who owes this money now in controversy?

A. Yes, it is.

Q. Why is his name erased from this list then?

A. He was not a member at the time of the separation; but since, has been regularly received by Chesterfield Monthly Meeting.

Q. Is there any thing in the discipline, against the commencing of a suit by a member, for the recovery of a debt from one who is not a member?

A. I am not aware that there is.

Q. Had Thomas L. Shotwell formerly been a member?

A. Yes.

Q. By whom was this list of members prepared? [Exhibit D 2.]

A. If I am not mistaken, Samuel Middleton assisted in preparing it.

Q. Do you know of your own knowledge that it is a correct list?

A. As far as my knowledge extends, I believe it is.

Q. How far does that knowledge extend?

A. Well, I don't know all the members of Chesterfield Preparative Meeting; as far as I do know, it is correct, I think.

Q. Was Hannah Field a member at the time of the separation?

A. I cannot say.

Q. Her name is on this list, is it not?

A. I believe it is.

Q. Were William Careslake and wife members of that meeting, at the time of the separation?

A. I cannot tell—they are now.

Q. Were not Samuel Holloway, Susan Holloway, Lydia Corlis, Mary Ann Clark, all members of that meeting at the time of the separation?

A. I am not acquainted; neither do I know either one of them individuals; for that reason I cannot say.

Q. Will you look at the book of minutes exhibited, and say whether William Careslake and his wife were not received under a certificate of removal into that meeting in Eleventh-month, 1828? [Handing him the book.]

A. Here appears to be a minute to that effect.

Q. May you not be mistaken then in other names on that list, as well as those that have been pointed out to you by me?

A. I have not pretended to say any further, that it is correct, from them that I am acquainted with.

Q. Were you not present in the meeting when that certificate of removal was received?

don't recollect that I was.
 ned until 10 o'clock to-morrow morning.

ay morning, 31st March, at 10 o'clock. Cross-examination of
 skill, continued. Present as before. *
 n by Mr. Sloan. You have spoken of an adjournment made by
 om you call Orthodox, from the meeting house to the house
 rah Chapman; was she a member of Chesterfield Preparative

. I believe she was.
 d you look at this list, [Exhibit E 2,] purporting to be a list of
 in Chesterfield Preparative Meeting, and see whether her name
 pon it?
 oking over it.] It don't appear to be here.
 he one of those whom you call Orthodox?
 is considered so.

r do you account for the absence of the name of one who ap-
 ave been so conspicuous, from that list exhibited by you, under-
 n, as a correct list of the members of that meeting, on that side
 estion?

onsider the cause of its not being there, her name not being
 d at the time, by them that made the list out; and I myself not
 uainted with the woman, didn't observe the omission.

a she not a constant attendant of the meeting to which you
 and one who sat in the upper gallery in that meeting?

to that, I cannot say, as I did not know the woman.

w is it that you should have remained in ignorance of her per-
 ng been, as you state, for so many years in the habit of dili-
 ending the meetings for discipline of that meeting?

I remember right, I answered that question of attending the
 of Friends; not of Chesterfield Monthly or Preparative Meeting,
 ad not been a member of, but Mount Holly Monthly Meetings;
 I was not acquainted with a great many members, especially
 the women, of that Preparative Meeting.

en did you become a member of that meeting?

ink it is six years ago, some time this spring.

I understand you as saying that you cannot tell whether Sarah
 did or did not sit in the gallery of that meeting?

annot tell.

t not usual for the active members of the society of the re-
 exes, to have very frequent intercourse with each other in trans-
 e business of the society, in serving on committees, &c.?

at is the case frequently; but I myself had no opportunity of
 , of becoming acquainted with the person alluded to.

the name of Sarah Chapman appears to have been forgotten,
 y the persons who made out that list, as by yourself, can you
 her there are not others of that side of the question, who have
 tted?

annot say that there is, or is not; I know of none at this time.

u have said, I think, that in your apprehension, the exclusive
 f this school fund was vested in the Preparative Meeting, and
 y subject to the supervision of the Monthly Meeting; and have
 to an old minute of the Monthly Meeting, to show that they had

no authority over it: will you state what was the nature of the application then made to the Monthly Meeting?

A. I was not a member of that Monthly Meeting at the time of the application, therefore I must refer you to the minutes of that meeting.

Q. Is not the first minute to be found on that subject, under date of the 4th of Ninth-month, 1798, and as follows, viz: "Trenton Preparative Meeting proposed to this meeting for consideration, whether it might not be right to have a *division of the fund* that has been established for a school in and by the Preparative Meeting of Chesterfield:" and a committee appointed on the subject, in the usual way?

A. Yes; such appears to be the minute; and that committee, in the next month, I think, reports that the Monthly Meeting has no control over it; which was united with.

Q. Is that your apprehension of the report?

A. I think that is the purport of the minute.

Q. Is not the report of that committee, that they "are of the mind that the *Monthly Meeting* hath no *power to divide* any part of the subscriptions thereof," alluding to the subscriptions made for the creation of a fund for Chesterfield Preparative Meeting?

A. That appears to be the words of the committee, as recorded; which, in my apprehension, is the same import as their not having power to do it, or to the control of it.

Q. If a Monthly Meeting has no control, or superintending power over such funds of its Preparative Meetings, how do you account for the application being made to it?

A. Monthly Meetings may have power over Preparative Meetings in certain cases; and Preparative Meetings have the liberty of consulting or advising with Monthly Meetings concerning certain things belonging to them exclusively.

Q. If the Monthly Meeting had no control in any way, and it were so understood by the society, would they have entertained the subject at all, on their minutes?

A. I have always considered that it is the duty of every Monthly Meeting, whenever there is any thing sent up from the Preparative Meeting, to notice it; which is the only way, I believe, to express their opinion on a subject sent up from that meeting.

Q. Is the Monthly Meeting bound to appoint committees on all subjects sent up by a Preparative Meeting?

A. That is entirely left to the judgment of the Monthly Meeting, as I apprehend.

Q. Is not that report merely declaratory of the discipline which requires that all donations and bequests shall be strictly applied, according to the will of the donor, and expressive of the opinion of the committee that the Monthly Meeting had no right to *divide* a fund, created for one meeting, and appropriate it to another?

A. As I am not fully acquainted with the discipline, and that is here, I cannot say.

Q. If a Preparative Meeting were to apply the funds differently from the purpose for which they were created, would not the Monthly Meeting have a control over the Preparative Meeting, and a right to require that the funds should be applied for the purposes for which they were raised?

A. As there never has a case of that kind came to my knowledge, I can't say any thing about it.

Q. Do I understand you, then, as answering that you do not know whether the Monthly Meeting would or would not have a right to interfere?

A. If there was a regular complaint sent up to the Monthly Meeting from the Preparative Meeting, or by persons aggrieved, it would be at liberty to notice it, I should suppose.

Q. What do you mean by a "regular complaint sent up?"

A. As far as I am acquainted, all business that is necessary to be sent from the Preparative to the Monthly Meeting, is sent up by a minute signed by the clerk.

Q. Would the meeting be likely to make a minute of complaint against itself?

A. I never knew a Monthly Meeting to take up business concerning a Preparative Meeting, I think, without it coming up as I have stated; though such may have been the case.

Q. Is there not a general supervisory power possessed by each superior, over its inferior meetings, which may be exercised when necessary, without any minute of a complaint from such inferior meetings?

A. I should not think that it would be right, according to my apprehension, according to the rules of the society.

Q. Had not Chesterfield Monthly Meeting at the time of the separation, a patient at the asylum, at its expense?

A. I understood they had; and some time after Samuel Bunting was appointed agent for that Monthly Meeting, I understood they fetched her away.

Q. What time was she brought away?

A. I cannot tell.

Q. In the year 1828?

A. Well, I never made any account of the time; therefore I cannot say any thing about it when it was, any more than I was informed that it was done.

Q. Is it the duty of the agent appointed, on behalf of a meeting, to attend to paying the expenses of such patients?

A. As to my own part, I didn't know any thing about the rules of the asylum; but I have understood that it was the duty of the agent to see that all expenses was paid.

Q. Were you the first person appointed agent for the asylum of the Monthly Meeting, of which you are a member, after separation?

A. I think I was the first after the separation.

Q. Did you ever pay any expenses for that patient, as the agent of that meeting, or know of any having been paid under the order of that meeting?

A. There has never been any demands made to me for such expenses; therefore I have not paid any: nor do I know of any being paid that accrued since the separation.

Q. Is it not required that a bond shall be given by the agent, with security, for the payment of such expenses?

A. I have understood that that was the rule: and I likewise understood, that the bond that the agent of Chesterfield Monthly Meeting had given before Samuel Bunting was appointed, was not taken up, at the time that he was released; but some time afterwards; and I expect Samuel Bunting's bond was given in its stead.

Q. Did you give, or offer to the asylum, your bond, after your appointment?

A. I was not asked for it: if it had been necessary, I suppose I should, but I did not.

Q. Was it not the duty of the agent to see that such bond is given and expenses paid, without their being demanded of him?

A. Not knowing but very little about the asylum, I can't say what the duty of the agent is.

Q. Who was treasurer of Chesterfield Monthly Meeting, at the time of the separation?

A. I don't know that I can tell.

Q. Was not Jediah Middleton?

A. It is the impression of my mind, that he was.

Q. Do you know whether there was a new roof put on that meeting house, a short time before the separation?

A. Yes: there was.

Q. Do you know whether the carpenter work of putting on that roof was paid for, at the time of the separation?

A. As there was a committee appointed to attend to the business, I cannot say when they paid the workmen: whether before or after.

Q. Do you know who was the carpenter who put it on?

A. Well, I did at the time. I think Samuel Collier was the man.

Q. Do you know Jediah Middleton's hand-writing?

A. I have seen his hand-writing.—[A paper, purporting to be an order drawn by Jediah Middleton, is shown the witness.]

Q. Is that the hand-writing of Jediah Middleton?

A. It appears like it,—I should say that I think it is.

Q. Do you know the hand-writing of Samuel Collier, or of Joseph Hendrickson?

A. No.

Q. Is not that an order drawn by Jediah Middleton in favour of Samuel Collier, the carpenter alluded to, under date of the 11th of Third-month, 1828?

A. Yes—it does appear to be so; it don't say to who.—[A paper was shown the witness.]

The counsel here rest the cross-examination, and the testimony being read over to the witness, he adds the following explanation, viz.—To my answer, on a former page, relative to the duty of the clerk, I wish to add, that as the clerk is, as I consider, the servant of the meeting, after he has made an essay, as is the practice of clerks, it is always left to the judgment of the meeting; he having no more power, nor authority, as to recording the judgment of the meeting than any other individual: and if such essay shall by the meeting be determined not to be their sense and judgment, he will be bound to alter it, as they may direct. And to my answer to a preceding question, I wish to add, that I would not wish to be understood, that I heard it mentioned in the meeting that day, that David Clark would have to be released.

[NOON.]

And the said Josiah Gaskill being further examined in chief, on the part of the complainant and Stacy Decow, saith:

Question by Mr. Price. Was it not well understood by Friends that their agents and subscribers were rejected and denied all rights in the

the Orthodox party, which had taken its affairs into their management?

It was so understood.

By other names than those pointed out, had been inserted on the lists of members of Chesterfield Preparative Meeting, to the advantage of the Orthodox party, is it not likely that the ingenu-ous, and his intelligent assistants, Samuel Craft and David Ald also have noticed them?

Could have supposed that they would.

Could there not have been omissions to the disadvantage of Friends, which have omitted to point out?

Think it might have been the case.

Is there the possibility of doubt but that Friends are much the better of those who formerly constituted that Preparative Meeting? There is no shadow of doubt on my mind, but what they are constitute the largest part.

Have been asked whether David Clark was under the censure of the meeting for any infraction of discipline, to furnish a reason for his removal from the office of clerk of the Monthly Meeting: I was asked whether James Brown was ever under such care, that he might act for the Chesterfield Preparative Meeting?

It was understood that he was.

Has it ever been asserted that he had not served the meeting to the satisfaction, before the division?

Never heard any thing like it, neither before nor after.

Could the Orthodox party appoint a new clerk before the year had expired, which he had been appointed?

As to them doing it, I know nothing about, as they do no business at the Chesterfield Preparative Meeting.

Could they had any clerk at the meetings when they withdrew, must have appointed them before his time expired?

Could he, who was not present to serve them as clerk, was it not because he was already retired from the meeting while he was acting as clerk? That certainly was the reason.

Could the Orthodox Friends who retired on that occasion, adhere to their principles from the course of your crossing, of considering the clerk as the final and infallible judge of the sense of the meeting?

Could he say not.

Could the clerk of the Preparative Meeting, in Twelfth-month, 1827, or Thirteenth-month, 1828, when they went off, decide it to be the judgment of the meeting, that the meeting should adjourn to Mathew Forster's, or that it should continue its business in the usual way, where it then was?

Could he say that he decided that it should remain where it then was, continuing and acting for the meeting as clerk.

Could he decide that those who retired were the weight of the meeting, and that they should take their sense as the sense of the meeting?

Could he think not.

Could he say that though a clerk is usually appointed to serve the meeting for a year, and that if he were to die, remove away, resign, separate himself from the meeting, or refuse to serve the meeting that he was appointed to

serve, would it not be the right of the meeting to appoint another Friend in his stead?

A. I certainly do think that the meeting would have a right to do so.

Q. Do not the minutes appointing clerks, usually express that they are appointed "*to serve the meeting?*"

A. According to my recollection, that is the usual expression in the minute of their appointment.

Q. Is that the language used in the minute of the meeting appointing David Clark to serve the Monthly Meeting in Fifth-month, 1827?

A. That is the language expressed in that minute, [referring himself to the minutes exhibited.]

Q. You were asked in your cross-examination if you ever before knew an instance of a meeting appointing a clerk in the presence of an acting clerk at the table, and thus supplanting him, without any previous care being extended to him; I would ask whether you ever knew, before the instance then referred to, of a clerk's refusing to act for the meeting is recording its prevailing sense?

A. I never did know an instance before.

Q. Did you ever before know of an instance in which a clerk undertook to adjourn the meeting while it was engaged in the discussion of a subject that was still undecided upon, and without any proposition for adjournment?

A. I never did; nor I never knew a clerk to make an essay of adjourning minute without being requested to do so before.

Q. Had not Friends, in the Monthly Meeting at least, as much right to remove David Clark from the clerkship, for refusing to take the sense of the meeting, as the Orthodox party in the Preparative Meeting, to appoint another person in the place of James Brown, because he did serve the meeting?

A. I think that it was sufficient reason to displace David Clark from his clerkship, after refusing to take the prevailing sense of the meeting.

Q. Were there as many elderly and consistent members of Chesterfield Preparative Meeting, who continued in the house, and to support the meeting, as there were who went off to hold the meeting elsewhere?

A. Yes, I should say at least one-third more—between one quarter and one-third more.

Q. I think you were asked, on your cross-examination, whether one Quarterly or Monthly Meeting could review and affirm, or annul the proceedings of another,—if the Monthly Meeting of Chesterfield had refused to grant the certificate requested to Green street Monthly Meeting, would not that have been to sanction and affirm the act of the Quarter undertaking to lay it down, without treating with it, or obtaining its own consent?

A. I should think it would.

Q. Though called here to prove a few local facts within your own knowledge, you have been cross-examined to numerous abstract points of discipline and usage; though you do not profess to be skilled in the discipline, I would address one question to your common sense:—If a small party in the society, with subservient clerks, were to assume to rule by an arbitrary power, in violation of the spirit and fundamental principles of the discipline, would the meetings or individuals of the great body of the society be bound to sanction such proceedings, and hold discipline, in its minor points, with such party?

.. If I understand the question, I should not suppose they would.

And being further cross-examined, on the part of Joseph Hendrickson, saith:

Question by Mr. *Sloan*. Is there any thing in the discipline, prescribing *how* or *when* clerks of Preparative Meetings shall be appointed?

A. Well, as to that I cannot say.

Q. As you have the discipline before you, will you refer to it and say, whether its provisions relative to the appointment of clerk; do not relate only to clerks of Monthly and Quarterly Meetings?

A. It does not appear that the discipline enjoins it upon the Preparative Meetings every year; but it is the practice, as far as I am acquainted with Preparative Meetings—they do generally appoint their clerks out once a year.

Q. Is there any thing said in it, as to *how* or *when* they shall be appointed?

A. I don't discover any thing.

Q. Had not James Brown, who had been clerk of that Preparative Meeting, (or some time before the separation,) withheld the answers to the queries in Eleventh-month, 1827?

A. If I remember right, the answers to the queries were delivered to the clerk of the Monthly Meeting of Chesterfield, in Eleventh-month.

Q. To what clerk?

A. To the clerk of the Monthly Meeting; Jediah Middleton, I believe.

Q. Did he return any answers to the queries, to David Clark?

A. I don't expect he did.

Q. At the period spoken of by you, when a portion of the meeting withdrew, did he not decline or refuse to answer the Quarterly and Monthly Meeting's committees, when they asked him, whether he was acting as clerk of Chesterfield Preparative Meeting as subordinate to Burlington Quarter, a branch of the Yearly Meeting of Friends held in Arch Street, Philadelphia, on the third Second-day of Fourth-month annually?

A. I think he did not. If my memory serves me right, when the question was asked, but not exactly as the counsel has stated it, he replied that he considered himself acting for Chesterfield Preparative Meeting; and I think, mentioned about its being subordinate to Chesterfield Monthly Meeting; his exact words I don't recollect.

Q. Did he not decline answering what *Yearly Meeting* it was held subordinate to?

A. I cannot say, as I don't recollect; nor I don't know that I heard, distinctly, all that he said.

Q. Was not that assigned as the cause for the withdrawal of those who did withdraw, or did they not substantially declare that they could recognise no meeting, as Chesterfield Preparative Meeting, that was not such subordination, or something to that effect; without splitting hairs between you and myself, as to whether I use the precise words of the persons then present or not?

A. If my memory serves me, all that was said after the question was asked by Samuel Craft, and answered by James Brown, was that they would not countenance such conduct, and withdrew: or it is all I can recollect.

Q. Had not James Brown taken an active part in the proceedings Tenth-month, preceding?

A. No more than usual, that I recollect.

Q. As I don't know how active a part it was usual for James Brown to take, you will please to answer my question, whether he did or not take an active part?

A. I have no recollection of what he said, or done, in that Monthly Meeting.

Q. Was he not one of those who went as a messenger into the women's meeting, to request of them to appoint representatives to the Yearly Meeting of Tenth-month?

A. It might have been the case.

Q. If a clerk of a Preparative Meeting, who is appointed for no specific time, and for whose appointment no provision is made in the discipline, be guilty of infractions of the discipline, would not the Preparative Meeting be justified in removing him, and supplying his place by a more consistent Friend?

A. I think they would.

Q. What description of persons are to be appointed overseers under your discipline?

A. I don't recollect the words of the discipline. [The discipline, Exhibit 13, is handed the witness.]

Q. I would refer the witness then to his *common sense* to say, what kind of persons that would teach him should be overseers?

A. I think that they ought to be judicious Friends.

Q. How many overseers had that meeting at the time of the separation?

A. My recollection does not serve me to say how many they were.

Q. Were not Joseph Hendrickson, Samuel Bunting, George Thorn, and Samuel Middleton, the overseers at that time?

A. I think its likely they were; appointed just before the separation.

Q. How many of them are now among those whom you call Friends?

A. There is but one.

Q. Are you satisfied, that either the *ingenuity* of counsel or the *intelligence* of his assistants has pointed out to you all the names of members of that meeting, which have been omitted on that list exhibited by you?

A. As to what they have done, as I said before, I did suppose if there had been any other error, they would have spoken of it.

Q. Did you know one Phebe Williams?

A. No, I never was acquainted with her; I have seen her.

Q. Is she a member of that meeting?

A. That I can't say. She used to live in Burlington; and Trenton; if my memory serves me, from what I have understood.

Q. Did not she remove to Groveville, within two miles of the meeting house, and become a member of that meeting?

A. I never saw her then at Groveville. I cannot say that she did.

Q. Have either Sarah Stillwell, Susan Rogers, or Thomason Howard attended your meeting as members, since the separation?

A. As to the two first I am not acquainted with; I don't know them. Thomason Howard and her family has attended.

Q. In making out that list, have not all who have not openly declared themselves to be of what you call the Orthodox party, been put down on your side of the question?

A. I do expect that all those that attended our meeting was put

side, or put down with Friends, and those that attended with the orthodox, were put down as Orthodox.

Have you none on that list but those who attended your meetings regularly, in the usual order of the society?

There is some that do not attend our meetings regular, I believe; there is none down there that I am acquainted with, that I have read, but what have attended it, and do attend it, when they attend

When was it that you understood that your party were rejected from the asylum, and deprived of their privileges—was it before or after appointment?

If I am not mistaken, it was before.

How came you to be appointed then?

It was the opinion of the Monthly Meeting that there should be appointed, to have the charge when it was necessary.

If it was necessary to make such appointment, and you were the representative of Chesterfield Monthly Meeting, was it not your duty to make an effort to perform the services required of you, in attending to the helpless being who was in the asylum, and dependant on that meeting for sustenance and protection?

As I stated once before, that I was not acquainted with the rules of that asylum, and if there had been any occasion, I might have been called upon—but what their rules are, I don't know.

Was that practice generally adopted by your meeting towards others, which appears to have prevailed, in respect to yourself—the appointment of persons to fill responsible stations in the society, under the pretence, who had no knowledge, or a very imperfect one, as you have repeatedly declared in this examination, either of the discipline, or of the duties of the office to which you were appointed; and were left to the dictates of their own *common sense*, to point out to them what was right, and what was wrong in their proceedings?

As to this appointment, it was on a concern that I had never consulted myself about. As to the concerns of the society, in other respects, quite different.

Before David Clark made the minute of adjournment in Ninth-month, 1827, did not Samuel Craft propose an adjournment; and was not united in by others in the meeting?

If Samuel Craft proposed an adjournment, I did not hear it—he was very near David Clark; but as to its being united with by the meeting, I have no recollection of any thing of the kind.

The counsel rest the further cross-examination.

And the said Josiah Gaskill being again further examined in chief, by:

Question by Mr. Price. You have stated, I think, that the clerk of a comparative Meeting was usually appointed once a year, as well as clerks of Quarterly and Monthly Meetings, does the discipline in the following provision, to which you were referred by the opposite counsel, say whether in any manner regulate the appointment of clerks of Monthly and Quarterly Meetings, any further than to recommend an annual change, that it may afford opportunity for their (the clerks) "being suitably changed, and more of the qualified members exercised in the services." [Page 37 of the discipline.]

Answer. That is the idea of the discipline, I believe.

And further this affirmant saith not.

JOSIAH GASKILL.

Affirmed as aforesaid, and subscribed at the house of William Ridgway, in Camden, in the county of Gloucester, this thirty-first day of March, eighteen hundred and thirty-one. Before me,

J. J. FOSTER,

Master and Examiner.

Adjourned until to-morrow morning at 10 o'clock.

Friday morning, April 1st, 1831, at 10 o'clock. Examinations continued. Present as before.

Brown

JAMES BROWN, a witness produced on the part of the complainant and Stacy Decow, alleging himself to be conscientiously scrupulous of taking an oath, and being duly affirmed according to law, on his solemn affirmation declareth and saith:

Question by Mr. Price. Please to state your age?

Answer. I am in my fifty-eighth year.

Q. Were you present when a portion of Chesterfield Monthly Meeting ceased to act in harmony with the body, and separated?

A. Yes, I was.

Q. Did it appear to you that the clerk was unwilling to be the instrument of recording the sense of the meeting?

A. It did appear to me that he was unwilling to do so.

Q. Did it appear to be the prevailing sense of the Monthly Meeting of Ninth-month, 1827, that Jediah Middleton should act for it in the capacity of clerk?

A. It was the sense of that meeting, according to my apprehension that he should. I mean the prevailing sense.

Q. Did the meeting at that time request the former clerk to make a minute of adjournment; or concur in it, when he did make one?

A. I think not.

Q. From your knowledge of the members of that Monthly Meeting can you say that it continues to be sustained by considerably the great number of its then members?

A. That is the case. The larger number continue to hold that Monthly Meeting in the regular order of society.

Q. And at the regular times and place?

A. Yes.

Q. Did the Chesterfield Preparative Meeting agree in Twelfth-month 1827, or First-month, 1828, to adjourn its sitting to Mathew Forsyth's?

A. No, it did not.

Q. Was it either the judgment of the clerk, or of the meeting, that it should so adjourn its sitting?

A. It was not.

Q. Was there any proposition for such adjournment submitted to the consideration of the meeting, in the usual order of the society?

A. I believe there was not.

Q. Was it declared by them that the Preparative Meeting was adjourned to Mathew Forsyth's, or did they merely retire to that place?

A. I believe there was no mention made about any adjournment, or any place to retire to.

Q. Of course there was no minute of adjournment made?

A. There was not, I think; if there was any place mentioned to retire to, I have no recollection of it, at present.

Q. Did they, by appointing a clerk, or in any other way, organize themselves as a Preparative Meeting, before they adjourned?

A. No, they did not, I think.

Q. Had there any disorderly proceedings taken place in that Preparative Meeting, or was it alleged that any obnoxious person was present to drive them off?

A. I don't know that I can recollect exactly what was said at that time by them; but I think there was no person there that they particularly objected to, except myself, as clerk of that meeting. They inquired either of the meeting, or of me particularly, I am not sure which, whether I was the regular clerk of that meeting: I think I informed the meeting that I had been regularly appointed as clerk; and considered myself then acting for Chesterfield Preparative Meeting. They however did not appear to be satisfied with that answer, and made some other objections, I don't recollect exactly the words; but finding that it was the general sense of that meeting, that I should act in the capacity of clerk, they left the meeting without making any adjournment, or minute.

Q. Had not you been appointed the regular clerk?

A. Yes, I had been appointed the regular clerk.

Q. When?

A. I was first appointed clerk of that meeting, I think, in the year 1808. I continued, perhaps, without a reappointment, but as to that I am not certain, until the year 1813. I then moved from that meeting to Burlington: and when I returned and became a member of that meeting again in 1815, when I moved back to it; and in 1827 I was again appointed clerk, and reappointed in 1828, and continued clerk until I was succeeded by Josiah Gaskill in 1829.

Q. You have not answered whether any disorderly proceedings had taken place in that meeting?

A. I know of no disorderly proceedings, only by those who styled themselves Orthodox leaving the meeting, as I apprehend, in a disorderly way.

Q. After they went away, did not the meeting continue its business in the usual order of the society?

A. Yes, I think so.

Q. Has it continued to do so ever since, and at the usual place and times?

A. It has.

Q. Is it usual to appoint the clerk of a Preparative Meeting for at least the period of a year?

A. It has been usual of latter years, in that meeting, to appoint a clerk annually.

Q. Has the Preparative Meeting for which you were clerk, in 1827, ever since continued to appoint trustees of the school fund, as it had usually done before?

A. They have continued to do so.

Q. Have those trustees continued to discharge their duties as formerly?

A. I believe they have, for any thing that I know; I have never heard no complaints against them.

Q. Has it been usual for Chesterfield Preparative Meeting to manage and control that school fund, without the interference or control of any other meeting?

A. Yes, they have never thought it their duty to apply for directions to any other meeting, excepting one or two cases; there was a minute sent up to the Monthly Meeting, with respect to a *division*, perhaps, of the fund, with one or two of the other Preparative Meetings. The Monthly Meeting in them cases, I think, decided that they had no power to make any *division*.

Q. Was Stacy Decow duly appointed successor to Joseph Hendrickson, as treasurer of the school fund?

A. Stacy Decow was appointed treasurer of the school fund by the Preparative Meeting, in First-month, 1828, I think.

Q. When representatives are appointed in the Quarterly Meetings to the Yearly Meeting, are they usually appointed out of the respective Monthly Meetings?

A. I believe that is the usual practice.

Q. In fact, then, every Monthly Meeting is represented in the Yearly Meeting by its own members?

A. Yes, I believe that to have been the design of the discipline; as near as circumstances would allow.

Q. Is the principal object of appointing representatives, in order to secure the certain attendance of some of the members of each Monthly or Quarterly Meeting, and the transmission to the superior meetings of the necessary minutes and papers?

A. Yes, I believe that to be the principal object of the society.

Q. Whether appointed a representative or not, has not every member an equal right to attend the superior meetings, and take part in their proceedings?

A. We have no prohibition to any of our members attending the general Quarterly and Yearly Meetings.

Q. When there, is it not usual for them to take part in the proceedings of the meeting?

A. It is so.

Q. Are the following the provisions of the discipline, in respect to the appointment of representatives, viz: "It is agreed that a suitable number of men and women be appointed in each Monthly Meeting, to attend the service of the Quarterly Meeting, with such reports in writing, signed by their clerks, as may be given them in charge: also, that at least four of each sex be appointed in each Quarterly Meeting, to attend the Yearly Meeting. And it is earnestly advised and desired, that all Friends who submit to these, or any other services of society, may be punctual in their attendance thereon; or if prevented by sickness, or any other unavoidable occurrence, that they be careful to send information thereof; also, that those who are under appointments to meetings, do not withdraw therefrom before the conclusion, without obtaining the meeting's consent?"—[Read from pages 33-4, of Discip. Exh. No. 13.]

A. Yes; they are so.

Q. Though it is agreed in that discipline, that representatives be sent as therein mentioned, is there any positive prohibition against Monthly Meetings sending representatives to the Yearly Meeting?

A. I do not recollect that there is any prohibition pointed out by the discipline to that effect.

Q. Are you generally acquainted with the members, or with those who were members of Chesterfield Preparative Meeting in First-month, 1828: and if so, will you furnish as correct a list of those members as your information will afford of each party?

A. I am generally acquainted with the members of that Preparative Meeting, and I have a list of the members of both parties, which I apprehend is nearly, or quite correct; made out for the time of the separation. I am personally acquainted, or was personally acquainted, I think, with all these persons, except two; they two, I believe to have been members of Chesterfield Preparative Meeting at that time.

The list produced by the witness, is offered in evidence on the part of the complainant and Stacy Decow, and marked Exhibit N 2.

Q. Were the sides taken by those who were members of Chesterfield Preparative Meeting in First-month, 1828, matters of general notoriety from their attendance at the different meetings, or otherwise?

A. It was a matter of fact, that they were so.

Q. Was the insertion of the names of William Careslake and wife, and a few others, in the former list, [D 2,] owing to its having been made out for a recent period, instead of that of the separation?

A. That was the case.

Q. Have you reason to believe that the name of Sarah Chapman was on the list originally made, and that it was omitted by mistake in transcription?

A. I have no doubt but what it was a mistake of that kind; and not any intention in those who made it out.

Q. Have you any information about the list of original subscribers to the school fund and their descendants, to enable you to speak as to the correctness of the list exhibited? [K 2.]

A. I believe this list to be nearly, or quite correct.

And being cross-examined on the part of Joseph Hendrickson, he further saith, viz:

Question by Mr. *Sloan*. How did it appear that the clerk was unwilling to record the sense of the meeting at the meeting spoken of by you in Ninth-month, 1827?

A. It appeared to me that he was unwilling, because it was the general voice of the meeting that he should do so, in the case of a certificate applied for to Green street, and he did not do it.

Q. Were there not those present who objected to the granting of that certificate?

A. There were objections made to granting the certificate, by a few individuals; but as I have said, the general voice of the meeting was in favour of it.

Q. Did you count the voices *for* and *against* it?

A. I did not count the voices; and there was no occasion for that: it was very evident that it was the general voice of the meeting that a certificate should be granted, without going to that trouble.

Q. Have you ever adopted the principle of deciding questions in your meetings for discipline, by an enumeration of the members *for* or *against* a measure?

A. It never has been a practice in transacting business in our society to decide against majorities.

Q. I did not ask for a negative: I asked for an affirmative answer,

whether it had or had not adopted the principle of deciding questions by an enumeration of the members, for or against a measure?

A. I have always apprehended, since I have had any knowledge of transacting business of our society, that where the general sense of the members present, for or against any measure, that that was to be the decision.

Q. Who is to collect that sense?

A. Where there is a clerk to minute down matters that come before a meeting, I believe it to be his duty to take what he apprehends to be the sense, on a minute, and when that is read, if the generality of the members present should think that it is not the general sense, it is the clerk's duty to alter it and make it so.

Q. Of those who were in favour of granting that certificate, were there not some who had not been in the habit of taking any part in your meetings for discipline?

A. I can't say but there were: it is very possible that there might have been some that gave their voices in that case, that don't always, in every case: but I do not think that there were any spoke to that case, but what have frequently spoken on other matters.

Q. Was it not publicly stated in that meeting, that Green street Monthly Meeting had been laid down by its Quarter, and that that Monthly Meeting therefore, did not exist, and that no certificate could regularly be directed to it?

A. I believe it was stated in that meeting by one individual perhaps, I don't know whether by more, that that was the case—but there were other members in that meeting, who, I apprehend, knew the state of Green street Monthly Meeting, as well as those who made objections to granting the certificate. And it appeared to be the sense of the generality of the meeting, that Green street Monthly Meeting had not been laid down in the regular order of society, therefore Chesterfield Monthly Meeting was at liberty to send a certificate to it.

Q. Was the fact that Green street Monthly Meeting had been laid down by Philadelphia Quarter, questioned or denied, or was the only matter in controversy, as to whether it had been laid down *in the regular order of society?*

A. I believe it was not disputed, but what it had been laid down in the order, that some undertook to state in our meeting; but inasmuch as the meeting considered it not laid down in the order pointed out by the discipline, that it could not be *legally* laid down, and therefore was in existence as it had been theretofore.

Q. Would it not be a violation of discipline to grant a certificate to a meeting which had been laid down in the order of society?

A. I apprehend it would.

Q. Does your discipline prescribe the mode of redress for an inferior meeting, which conceives itself aggrieved by the decision of its superior, by giving it the right of an appeal?

A. I am not certain whether the discipline points out any mode of procedure in that respect.

[NOON.]

Q. Has it not been understood, that the right of appeal exists with respect to meetings as well as to individuals; and has not that been the usage of the society?

A. I do not know of any instance wherein it has been necessary for a Monthly Meeting to appeal. A Monthly Meeting, in certain cases, may ask advice or assistance of the Quarterly Meeting, of which it is a constituent branch.

Q. When you say that the clerk was unwilling to record the sense of the meeting, do you mean to say that he was unwilling to record the sense of the meeting, as you apprehended it to be?

A. Yes, as I apprehended it to be.

Q. Did not some person propose an adjournment of the meeting?

A. I don't know that I can tell exactly what passed at that time; but I do not recollect that there was any regular proposition made for an adjournment.

Q. Before Jediah Middleton took his seat at the table, had a minute of adjournment been made and read by David Clark, the acting clerk?

A. I rather think there was something read to that effect, somewhere about that time.

Q. When you say that it was the sense of the meeting that Jediah Middleton should act as clerk, do you mean the *whole meeting*, or that portion of it who remained to prepare the certificate?

A. I mean that portion of it that remained for that purpose, and for other purposes of the Monthly Meeting.

Q. Was it against the sense of those who withdrew in pursuance of that minute?

A. The object of those who withdrew, I can't positively point out; but suppose it was, that they did not think it proper that that certificate spoken of should be prepared and sent to Green street.

Q. For what other purposes did you remain?

A. We remained in general to maintain the order, and transact the regular business, as far as it was in our power so to do, of Chesterfield Monthly Meeting.

Q. What business did you do to maintain the order and discipline of the society, besides granting that certificate?

A. Perhaps my memory will not serve me to state all the business that was done at that time; but I think there was a committee appointed to name some person to act as clerk, and one to assist him.

Q. Was any other business done but the appointment of the committee to prepare that certificate, and the one to bring forward a name for clerk, and the proposition that was made to appoint representatives to the Yearly Meeting, which was to be held in Green street the next month?

A. As the minutes of that meeting are here, they can speak for themselves better than I can, as to the business that was transacted. It would be better than my memory.

Q. Is there any thing in the discipline, authorizing a Monthly Meeting to appoint representatives to a Yearly Meeting?

A. I don't know that the present discipline contains any provisions for that to be done; but under the existing state of society at that time, it appeared to that meeting best so to do. And I can produce copies, I believe, of minutes from other meetings wherein that has been done some years past.

Q. How many years past?

A. In the early stage of society, perhaps in the year 1684, or some-

where thereabouts; wherein it was recommended by the Yearly Meeting for Monthly Meetings to do so.

Q. Will you produce those copies?

A. Here is the paper. [Producing to the counsel a paper.]

Q. Is this the copy alluded to by you?

A. Yes.

Q. Was this copy made by you?

A. It was examined by me, and compared with the record.

Q. By whom was it made?

A. I do not apprehend that is necessary.

Q. By whom was it made?

A. George Burr I believe made the copy.

Q. Is it the same George Burr who was examined as a witness here a day or two since?

A. Yes; the same.

Q. When did you compare it?

A. I compared it to-day.

Q. Where?

A. Not far from this place.

Q. Are the records of Bucks Quarterly Meeting here?

A. I believe they are.

Q. It is taken from them, is it not?

A. Yes.

Q. In whose possession were they when you compared it?

A. Gabriel Middleton's.

Q. Are they still here?

A. I think I have answered that question: they are.

Q. In whose possession are they now?

A. They are in the care of Gabriel Middleton.

Q. I asked whose possession they were in?

A. I don't know that I can answer that question better than I have.

Q. Is that the book which I now perceive in the possession of George Burr, and from which he is making extracts?

A. No, this is not the book; (looking at it.)

Q. Is George Burr a member of your society?

A. I cannot say whether he is or not.

Q. Do you know about what time the Yearly Meeting was established?

A. I believe I have seen the records that states at what time it was established; but I cannot remember now the exact time.

Q. Do you know about what time the book of discipline under which the society acted at the time of the separation, and by which they were governed, was adopted?

A. I believe it was in 1806.

Q. Have you ever within your knowledge, known, or have you ever heard of, or seen any minute of the appointment of representatives to a Yearly Meeting by a Monthly Meeting for the last century previous to the separation?

A. I do not know that I recollect ever seeing any minute to that effect, or of that kind; but under the existing circumstances of society, as I said before, it appeared to be right to do so at that time, at the time it was done so by Chesterfield Monthly Meeting.

Q. Is there any thing in the present discipline requiring the representatives to be appointed from each Monthly Meeting?

A. I believe it is designed by the discipline, that the representatives appointed by inferior meetings should be appointed so that the generality of the meetings constituting the Yearly Meeting may be represented, as much as might be.

B. I asked you whether the discipline *required* any such thing; not at your belief of the equitable construction of it was.

A. From the common practice of sending representatives, it would be possible in every instance for every Monthly Meeting to be represented; otherwise, it would swell the number more than would be thought necessary.

The question is again read to the witness:—he answers further: I have there is not any such requisition.

B. Must not all business carried from a Monthly to a Yearly Meeting, pass through the intermediate branch, the Quarterly Meeting of which it is a member, in the regular order and discipline of the society?

A. That has been the practice.

B. Is it not in conformity with the positive requisitions of the discipline?

A. I believe the discipline points out the mode by which business is forwarded to the Yearly Meeting.

B. Can you recollect any case which might be carried directly from Monthly to the Yearly Meeting?

A. Not under the express rule of discipline: and under the former anomalous state of society it was not necessary.

B. Is not a Preparative Meeting merely what its title would import, a *preparatory tribunal* in which such matters as are thought proper are brought before the Monthly Meeting, are digested and prepared?

A. It is the common channel through which business of importance went up to the Monthly Meeting: but there are some cases the discipline authorizes Monthly Meetings to act upon, not coming through that channel.

B. Is it not, however, necessarily, from its very constitution, and the actions which it performs, a branch of, and subordinate to, a Monthly Meeting, which decides upon the business thus presented to it?

A. Yes; it is a branch of, and subordinate to, the Monthly Meeting.

Q. Are Monthly Meetings also branches of, and subordinate to, Quarterly Meetings?

A. Yes; in general terms, they are.

Q. Are these Quarterly Meetings the constituent branches of the Yearly Meeting, and subordinate to it?

A. They are so considered.

Q. These Quarterly, Monthly, and Preparative Meetings, then, are all parts of the one great whole, the Yearly Meeting?

A. They are so.

Q. Were the Chesterfield Monthly and Preparative Meetings constituent parts of the Burlington Quarterly Meeting?

A. Yes.

Q. Was the Burlington Quarterly Meeting a branch of the Yearly Meeting which in Fourth-month, 1827, was, and for many years before, held in Arch street, Philadelphia?

A. Yes.

Q. You attend that Yearly Meeting in 1827?

A. Yes I did; most part of it.

Q. As a member of the society, and belonging to Chesterfield Monthly Meeting?

A. Yes.

Q. Were the representatives appointed by you in Tenth-month, 1827, representatives to a Yearly Meeting to be held in Arch street at the usual time in the following year?

A. They were appointed to attend the same Yearly Meeting, as I apprehend, held in Tenth-month; but not in the same place.

Q. Was the Yearly Meeting adjourned from Fourth-month, 1827, to Tenth-month?

A. I was not at the sitting when the adjournment was made; so that I know nothing about how it adjourned.

Q. Do you not know from general repute, that it was not adjourned to that time?

A. I have heard that it was not.

Q. Do you not know in the same way, that it was adjourned to meet at the same time and place the next year?

A. I suppose that must have been the case, from what I have understood.

Q. Has that Monthly Meeting ever since sent representatives to the Yearly Meeting in Arch street?

A. It has not.

Q. Have you not disclaimed any connexion with that meeting, and attached yourselves to a meeting held at Green and Cherry streets at a different time, annually?

A. We have not attached ourselves, as I apprehend, to any other Yearly Meeting than the Yearly Meeting of Philadelphia, that is reorganized and held on the second Second-day, in Fourth-month, annually.

Q. Do you, or do you not, acknowledge yourselves to be branches of, and subordinate to, the Yearly Meeting held in Arch street?

A. We do not consider ourselves members of the Yearly Meeting held there since 1827.

Q. Did the Green street Monthly Meeting, to which you were about to send that certificate, acknowledge itself to be so, or is that also a branch of the same Yearly Meeting, to which you say you belong?

A. That is a branch of that meeting.

Q. Does that portion of the Chesterfield Preparative Meeting, which you say continues to hold that meeting at the usual times and place, acknowledge themselves or claim to be a part of the Monthly Meeting which appointed those representatives, and still continues a member of the Green street Yearly Meeting?

A. Yes.

Q. Had they not done so before the adjournments spoken of?

A. I don't recollect that there was any acknowledgment to that effect, in a meeting capacity, before that time.

Q. Had you not before that time, received, read, and approved the extracts from the Yearly Meeting held in Tenth-month, in your meeting?

A. I think it is very possible that might have been the case. I have not charged my memory with it particularly.

Q. Before the adjournment to Mathew Forsyth's, of which you speak, were you not asked in the meeting, if you considered yourself acting as

the clerk of that meeting, a branch of the Chesterfield Monthly Meeting, held in subordination to the Burlington Quarterly Meeting?

A. I do not know whether the question was put to me in person, or to the meeting generally: but I think I answered that I considered myself acting for Chesterfield Preparative Meeting.

Q. Do you not recollect Jediah Middleton's saying, that it was unnecessary or useless to discuss the subject, as it was well understood by both sides, and you might as well proceed to business?

A. Well, I do not recollect that that was expressed by Jediah Middleton.

Q. Was not, after it was proposed to adjourn to Mathew Forsyth's, an application made to him in the meeting to know whether his house could be had for the purpose?

A. I think there was such an application. I did not recollect it when giving my testimony this morning.

Q. Have the persons who thus adjourned, by general reputation, continued to hold meetings ever since as the Chesterfield Preparative Meeting?

A. I suppose they have.

Q. Have those to whom you alluded, as having adjourned the Monthly Meeting, continued to hold, what they call Chesterfield Monthly Meeting, as a branch of Burlington Quarterly Meeting?

A. I suppose it to be so, from general repute. I don't pretend to know their title.

Q. Is it also generally reputed that they are in connexion with, and send representatives to, the Yearly Meeting which is still held on the third Second-day of Fourth-month, in Arch street, annually?

A. I suppose so, from what I have heard.

Q. Is not the setting up and holding of meetings of discipline out of the order of society, a breach of the discipline, and cause for disownment if persisted in, after proper care has been extended?

A. My memory does not serve me with the words of the discipline on that subject, if there is any discipline on it.

Q. Have you ever extended any care to them for holding such meetings?

A. I think not.

Q. Have they to you?

A. They have undertaken to deal with some on a charge of disorder, in that respect.

Q. And testified against them?

A. And testified against them.

Q. Have all these appointments of trustees to the school fund, spoken of by you, and of Stacy Decow as treasurer of that fund, been made since the period spoken of by you, when the separation took place?

A. Yes, they were all made since that time.

Q. Did you as clerk of the Preparative Meeting, withhold the answers to the queries from the Monthly Meeting of Eleventh-month?

A. I delivered the answers of Chesterfield Preparative Meeting to Jediah Middleton, as clerk of the Monthly Meeting of Chesterfield.

Q. Did you withhold them from David Clark?

A. I did: as not being the regular clerk of that meeting.

Q. You have furnished a list which has been marked as an exhibit, [N 2,] purporting to be a list of the members on both sides at the time of the separation; when and by whom was that list made out?

Q. It was made out last evening, I think, or this morning, by Jediah Middleton.

Q. When, and by whom, was the former list, exhibited, made out?

A. That I am not able to say.

Q. Do you undertake to say, from your own knowledge, that the last is a correct list?

A. I believe it to be nearly or quite correct; and made out for the time of the separation.

Q. Why is the name of Aaron Bunting omitted in the list now exhibited?

A. Because I believe him to have been under age at that time.

Q. Were all those on the list whom you call Friends, of age at the time of the separation?

A. I do not pretend to know the exact age; but from the appearance of the individuals, I suppose them to have been so.

Q. I observe in the exhibit, dots made opposite to some of the names, and not others; can you inform me what is the object of thus distinguishing them?

A. I noted them names or persons, as being forty or more years of age.

Q. Were not Sarah Thorn, Edith Lamb, Edith Lawrie, Charles Lawrie, Joseph Lawrie, George Lawrie, Lucy Ann Lawrie, Edith Lawrie, junior, and Elizabeth Hendrickson, junior, all members of that meeting at the time of the separation?

A. I am not able to answer that question.

Q. Are you not intimately acquainted with all or most of those persons?

A. Yes; I am acquainted with them, or most of them; but I am not acquainted with all their standing in society.

Q. How was it with those you did know?

A. I suppose they must have been members of that meeting. I am not clear as to Joseph and George Lawrie being members of that meeting.

Q. Did not you marry Joseph Lawrie's sister?

A. I did.

Q. How far did you live from him?

Witness. At what time?

Counsel. At that time.

A. I am not certain as to the time of Joseph Lawrie's moving away. I believe he must have lived in the verge of the Preparative Meeting at that time.

Q. Are not the persons whom I have named to you, with the exception of Sarah Thorn, Edith Lamb, and Elizabeth Hendrickson, the wife and children of Joseph Lawrie?

A. Yes, I believe so.

Q. Did not you know them then?

A. I have not said I did not know them.

Q. Which of the persons named do you not know?

A. I should like to have added to my answer, I did not know personally Elizabeth Hendrickson, I having been out of the neighbour sometime before; and with respect to Joseph and George Lawrie my impression that they had had certificates to other Monthly at that time. I may be mistaken in that respect.

Q. Were not all the others certainly members of that meeting?

A. Yes, they were. Edith Lamb is deceased, and at what time I do not certainly recollect; I have apprehended that it was before the separation.

Q. Have any of those persons attended your meetings as members since the separation, or are they not with those you call Orthodox?

A. I believe Edith Lamb was not considered Orthodox; I apprehend the others were.

Q. Are the names of any of these persons on that list you have produced?

A. I believe they are not: it has been an oversight; they having been out of sight for some time, is the cause of their being forgotten.

Q. How far from the meeting house does Sarah Thorn live?

A. Not over a quarter of a mile, I suppose.

Q. Was the list containing the apportionment of the school fund, Exhibit K 2, made out by you, and do you speak from your own personal knowledge of its correctness, or from the information of others?

A. I believe I stated, that I thought it nearly or quite correct; and when I examined it, I thought it to be so; it was not made out by myself.

Q. How many of those persons named on that list, as living at the time of the separation, were members of the Chesterfield Preparative Meeting?

A. I do not know.

The counsel rest the cross-examination.

And the said James Brown being re-examined in chief, further saith: Question by Mr. Price. Did Edith Lamb go with the Orthodox at the time of the separation?

A. Edith Lamb was an aged infirm woman, and very seldom went to meeting any where, in latter years.

Q. Did Sarah Thorn?

A. Sarah Thorn at the time of the separation was decidedly with Friends.

Q. But I suppose has since joined the Orthodox?

A. Yes.

Q. What did you make the result on each side according to your dotting the names on the list of the members over forty? and of the males only?

Witness. [Looking over the paper.] There are twenty-five that are forty or upwards, on the side of Friends, and nine of the like with the Orthodox.

Q. When the Orthodox left the Preparative Meeting, was it proposed at the meeting that it should adjourn to Mathew Forsyth's, or was Mathew Forsyth only asked by those who wished the use of his house, for the use of it?

A. The question was merely asked whether they might be admitted to his house; and they made no minute of adjournment.

Q. Which seems most like setting up a new meeting; for the body to inue to transact its business in the usual order, or the going off of all number to a private house in another township?

A. A small number going off in that way, appeared to me, and still appears, most like setting up a new meeting.

Q. Has it been usual for Chesterfield Preparative Meeting to manage and control that school fund, without the interference or control of any other meeting?

A. Yes, they have never thought it their duty to apply for directions to any other meeting, excepting one or two cases; there was a minute sent up to the Monthly Meeting, with respect to a *division*, perhaps, of the fund, with one or two of the other Preparative Meetings. The Monthly Meeting in them cases, I think, decided that they had no power to make any *division*.

Q. Was Stacy Decow duly appointed successor to Joseph Hendrickson, as treasurer of the school fund?

A. Stacy Decow was appointed treasurer of the school fund by the Preparative Meeting, in First-month, 1828, I think.

Q. When representatives are appointed in the Quarterly Meetings to the Yearly Meeting, are they usually appointed out of the respective Monthly Meetings?

A. I believe that is the usual practice.

Q. In fact, then, every Monthly Meeting is represented in the Yearly Meeting by its own members?

A. Yes, I believe that to have been the design of the discipline; as near as circumstances would allow.

Q. Is the principal object of appointing representatives, in order to secure the certain attendance of some of the members of each Monthly or Quarterly Meeting, and the transmission to the superior meetings of the necessary minutes and papers?

A. Yes, I believe that to be the principal object of the society.

Q. Whether appointed a representative or not, has not every member an equal right to attend the superior meetings, and take part in their proceedings?

A. We have no prohibition to any of our members attending the general Quarterly and Yearly Meetings.

Q. When there, is it not usual for them to take part in the proceedings of the meeting?

A. It is so.

Q. Are the following the provisions of the discipline, in respect to the appointment of representatives, viz: "It is agreed that a suitable number of men and women be appointed in each Monthly Meeting, to attend the service of the Quarterly Meeting, with such reports in writing, signed by their clerks, as may be given them in charge: also, that at least four of each sex be appointed in each Quarterly Meeting, to attend the Yearly Meeting. And it is earnestly advised and desired, that all Friends who submit to these, or any other services of society, may be punctual in their attendance thereon; or if prevented by sickness, or any other unavoidable occurrence, that they be careful to send information thereof; also, that those who are under appointments to meetings, do not withdraw therefrom before the conclusion, without obtaining the meeting's consent?"—[Read from pages 33-4, of Discip. Exh. No. 15.]

A. Yes; they are so.

Q. Though it is agreed in that discipline, that representatives be sent as therein mentioned, is there any positive prohibition against Monthly Meetings sending representatives to the Yearly Meeting?

A. I do not recollect that there is any prohibition pointed out by the discipline to that effect.

Q. Are you generally acquainted with the members, or with those who were members of Chesterfield Preparative Meeting in First-month, 1828: and if so, will you furnish as correct a list of those members as your information will afford of each party?

A. I am generally acquainted with the members of that Preparative Meeting, and I have a list of the members of both parties, which I apprehend is nearly, or quite correct; made out for the time of the separation. I am personally acquainted, or was personally acquainted, I think, with all these persons, except two; they two, I believe to have been members of Chesterfield Preparative Meeting at that time.

The list produced by the witness, is offered in evidence on the part of the complainant and Stacy Decow, and marked Exhibit N 2.

Q. Were the sides taken by those who were members of Chesterfield Preparative Meeting in First-month, 1828, matters of general notoriety from their attendance at the different meetings, or otherwise?

A. It was a matter of fact, that they were so.

Q. Was the insertion of the names of William Careslake and wife, and a few others, in the former list, [D 2,] owing to its having been made out for a recent period, instead of that of the separation?

A. That was the case.

Q. Have you reason to believe that the name of Sarah Chapman was on the list originally made, and that it was omitted by mistake in transcription?

A. I have no doubt but what it was a mistake of that kind; and not any intention in those who made it out.

Q. Have you any information about the list of original subscribers to the school fund and their descendants, to enable you to speak as to the correctness of the list exhibited? [K 2.]

A. I believe this list to be nearly, or quite correct.

And being cross-examined on the part of Joseph Hendrickson, he further saith, viz:

Question by Mr. Sloan. How did it appear that the clerk was unwilling to record the sense of the meeting at the meeting spoken of by you in Ninth-month, 1827?

A. It appeared to me that he was unwilling, because it was the general voice of the meeting that he should do so, in the case of a certificate applied for to Green street, and he did not do it.

Q. Were there not those present who objected to the granting of that certificate?

A. There were objections made to granting the certificate, by a few individuals; but as I have said, the general voice of the meeting was in favour of it.

Q. Did you count the voices *for* and *against* it?

A. I did not count the voices; and there was no occasion for that: it was very evident that it was the general voice of the meeting that a certificate should be granted, without going to that trouble.

Q. Have you ever adopted the principle of deciding questions in your meetings for discipline, by an enumeration of the members *for* or *against* a measure?

A. It never has been a practice in transacting business in our society to decide against majorities.

Q. I did not ask for a negative: I asked for an affirmative answer,

one who shall be entitled so to do, from his right of membership in the society.

Mr. Price. Am I to understand that such person must be a member of the Yearly Meeting held in Arch street, or of a meeting connected with that meeting?

Mr. Sloan. You are to understand that the society whose records they are, or rather that the agents of that society, in whose possession the records are, are unwilling to violate the trust reposed in them by the society, by submitting these records to the indiscriminate examination of persons not members of that society. But that in furtherance of justice between the respective parties in this cause, they are willing to depart from the usual rule of the society, so far as it may be necessary to do so,—and that therefore, either yourself, your associate counsel, or your clients, Thomas L. Shotwell or Stacy Decow, will at all times be allowed free access to the records, and be permitted, at your pleasure, to examine all or any of the minutes contained in them; and that any thing you may find therein recorded, will, as I have before stated, be permitted to be transcribed and certified, or proved by any witness that you shall introduce for that purpose, whether he should be a member of that society or not.

Mr. Price. Will copies of the minutes certified by the person having the records in charge, be received as evidence in this cause?

Mr. Sloan. Yes.

Evans *WILLIAM EVANS*, of Philadelphia, a witness produced on the part of Joseph Hendrickson, alleging himself to be conscientiously scrupulous of taking an oath, and being duly affirmed according to law, on his solemn affirmation, declareth and saith:

Question by *Mr. Sloan.* Are you a member of the Society of Friends?

A. I am, and always have been.

Q. What is your age?

A. I am in the forty-fourth year of my age.

Q. Have you for a long time taken part in the administration of their discipline, and been engaged in the ministry in the society?

A. I have taken part in the discipline of the society for twenty years, and have been acknowledged a minister, I think, about nine years.

Q. Were you a member of, and present in the Meeting for Sufferings, during its proceedings relative to a controversy at Wilmington, in 1822? If so, please to relate what took place.

A. I was a member at that time, and present on that occasion. The controversy alluded to, was respecting the doctrines of Friends, conducted by two persons, under the assumed names of *Paul* and *Amos*. The former writing against, and the latter professing to defend the society, and appearing to write in its behalf. The manner in which the controversy was conducted appeared to implicate, in some measure, the reputation of Friends, and the subject was consequently introduced into the Meeting for Sufferings, by reading parts of some of the essays. A committee was appointed on the subject, consisting of John Cox, Jonathan Evans, Samuel P. Griffiths, John Comly, Samuel Bettle, Thomas Wistar, and Thomas Stewardson. They produced to a subsequent meeting, a written report, consisting of a disavowal of those essays, and also of some extracts from the writings of George Fox, William Penn, Robert Barclay, Richard Claridge, and of the Declaration of Friends in

A. I do not know of any instance wherein it has been necessary for a Monthly Meeting to appeal. A Monthly Meeting, in certain cases, may take advice or assistance of the Quarterly Meeting, of which it is a constituent branch.

Q. When you say that the clerk was unwilling to record the sense of the meeting, do you mean to say that he was unwilling to record the sense of the meeting, as you apprehended it to be?

A. Yes, as I apprehended it to be.

Q. Did not some person propose an adjournment of the meeting?

A. I don't know that I can tell exactly what passed at that time; but do not recollect that there was any regular proposition made for an adjournment.

Q. Before Jediah Middleton took his seat at the table, had a minute adjournment been made and read by David Clark, the acting clerk?

A. I rather think there was something read to that effect, somewhere about that time.

Q. When you say that it was the sense of the meeting that Jediah Middleton should act as clerk, do you mean the *whole meeting*, or that portion of it who remained to prepare the certificate?

A. I mean that portion of it that remained for that purpose, and for other purposes of the Monthly Meeting.

Q. Was it against the sense of those who withdrew in pursuance of that minute?

A. The object of those who withdrew, I can't positively point out; but suppose it was, that they did not think it proper that that certificate spoken of should be prepared and sent to Green street.

Q. For what other purposes did you remain?

A. We remained in general to maintain the order, and transact the regular business, as far as it was in our power so to do, of Chesterfield Monthly Meeting.

Q. What business did you do to maintain the order and discipline of the society, besides granting that certificate?

A. Perhaps my memory will not serve me to state all the business that was done at that time; but I think there was a committee appointed to name some person to act as clerk, and one to assist him.

Q. Was any other business done but the appointment of the committee to prepare that certificate, and the one to bring forward a name for clerk, and the proposition that was made to appoint representatives to the Yearly Meeting, which was to be held in Green street the next month?

A. As the minutes of that meeting are here, they can speak for themselves better than I can, as to the business that was transacted. It would be better than my memory.

Q. Is there any thing in the discipline, authorizing a Monthly Meeting to appoint representatives to a Yearly Meeting?

A. I don't know that the present discipline contains any provisions for that to be done; but under the existing state of society at that time, I appeared to that meeting best so to do. And I can produce copies, I believe, of minutes from other meetings wherein that has been done some years past.

Q. How many years past?

A. In the early stage of society, perhaps in the year 1684, or some-

where thereabouts; wherein it was recommended by the Yearly Meeting for Monthly Meetings to do so.

Q. Will you produce those copies?

A. Here is the paper. [Producing to the counsel a paper.]

Q. Is this the copy alluded to by you?

A. Yes.

Q. Was this copy made by you?

A. It was examined by me, and compared with the record.

Q. By whom was it made?

A. I do not apprehend that is necessary.

Q. By whom was it made?

A. George Burr I believe made the copy.

Q. Is it the same George Burr who was examined as a witness here a day or two since?

A. Yes; the same.

Q. When did you compare it?

A. I compared it to-day.

Q. Where?

A. Not far from this place.

Q. Are the records of Bucks Quarterly Meeting here?

A. I believe they are.

Q. It is taken from them, is it not?

A. Yes.

Q. In whose possession were they when you compared it?

A. Gabriel Middleton's.

Q. Are they still here?

A. I think I have answered that question: they are.

Q. In whose possession are they now?

A. They are in the care of Gabriel Middleton.

Q. I asked whose possession they were in?

A. I don't know that I can answer that question better than I have.

Q. Is that the book which I now perceive in the possession of George Burr, and from which he is making extracts?

A. No, this is not the book; (looking at it.)

Q. Is George Burr a member of your society?

A. I cannot say whether he is or not.

Q. Do you know about what time the Yearly Meeting was established?

A. I believe I have seen the records that states at what time it was established; but I cannot remember now the exact time.

Q. Do you know about what time the book of discipline under which the society acted at the time of the separation, and by which they were governed, was adopted?

A. I believe it was in 1806.

Q. Have you ever within your knowledge, known, or have you ever heard of, or seen any minute of the appointment of representatives to a Yearly Meeting by a Monthly Meeting for the last century previous to the separation?

A. I do not know that I recollect ever seeing any minute to that effect, or of that kind; but under the existing circumstances of society, as I said before, it appeared to be right to do so at that time, at the time it was done so by Chesterfield Monthly Meeting.

Q. Is there any thing in the present discipline requiring the representatives to be appointed from each Monthly Meeting?

ieve it is designed by the discipline, that the representatives by inferior meetings should be appointed so that the generality of things constituting the Yearly Meeting may be represented, as might be.

ed you whether the discipline *required* any such thing; not in belief of the equitable construction of it was.

in the common practice of sending representatives, it would be possible in every instance for every Monthly Meeting to be represented; otherwise, it would swell the number more than would be thought

stion is again read to the witness:—he answers further: I believe it is not any such requisition.

not all business carried from a Monthly to a Yearly Meeting, through the intermediate branch, the Quarterly Meeting of a member, in the regular order and discipline of the society? has been the practice.

not in conformity with the positive requisitions of the discipline.

ieve the discipline points out the mode by which business is carried to the Yearly Meeting.

you recollect any case which might be carried directly from a Monthly to the Yearly Meeting?

under the express rule of discipline: and under the former state of society it was not necessary.

t a Preparative Meeting merely what its title would import, a *paratory tribunal* in which such matters as are thought proper to be brought before the Monthly Meeting, are digested and prepared? the common channel through which business of importance to the Monthly Meeting: but there are some cases the discipline authorizes Monthly Meetings to act upon, not coming through a Monthly Meeting.

not, however, necessarily, from its very constitution, and the discipline which it performs, a branch of, and subordinate to, a Monthly Meeting which decides upon the business thus presented to it?

it is a branch of, and subordinate to, the Monthly Meeting. Monthly Meetings also branches of, and subordinate to, Quarterly Meetings?

in general terms, they are:

these Quarterly Meetings the constituent branches of the discipline, and subordinate to it?

are so considered.

are Quarterly, Monthly, and Preparative Meetings, then, are all of the one great whole, the Yearly Meeting?

are so.

are the Chesterfield Monthly and Preparative Meetings constituents of the Burlington Quarterly Meeting?

the Burlington Quarterly Meeting a branch of the Yearly Meeting which in Fourth-month, 1827, was, and for many years before, held in Arch street, Philadelphia?

you attend that Yearly Meeting in 1827?

ieve I did; most part of it.

Q. As a member of the society, and belonging to Chesterfield Monthly Meeting?

A. Yes.

Q. Were the representatives appointed by you in Tenth-month, representatives to a Yearly Meeting to be held in Arch street at the same time in the following year?

A. They were appointed to attend the same Yearly Meeting, as I apprehend, held in Tenth-month; but not in the same place.

Q. Was the Yearly Meeting adjourned from Fourth-month, to Tenth-month?

A. I was not at the sitting when the adjournment was made; so I know nothing about how it adjourned.

Q. Do you not know from general repute, that it was not adjourned to that time?

A. I have heard that it was not.

Q. Do you not know in the same way, that it was adjourned to the same time and place the next year?

A. I suppose that must have been the case, from what I have heard.

Q. Has that Monthly Meeting ever since sent representatives to Yearly Meeting in Arch street?

A. It has not.

Q. Have you not disclaimed any connexion with that meeting, and attached yourselves to a meeting held at Green and Cherry street, at a different time, annually?

A. We have not attached ourselves, as I apprehend, to any Yearly Meeting than the Yearly Meeting of Philadelphia, that is organized and held on the second Second-day, in Fourth-month, annually.

Q. Do you, or do you not, acknowledge yourselves to be branches and subordinate to, the Yearly Meeting held in Arch street?

A. We do not consider ourselves members of the Yearly Meeting there since 1827.

Q. Did the Green street Monthly Meeting, to which you were sent to send that certificate, acknowledge itself to be so, or is that a branch of the same Yearly Meeting, to which you say you belong?

A. That is a branch of that meeting.

Q. Does that portion of the Chesterfield Preparative Meeting, to which you say continues to hold that meeting at the usual times and place, acknowledge themselves or claim to be a part of the Monthly Meeting which appointed those representatives, and still continues a member of the Green street Yearly Meeting?

A. Yes.

Q. Had they not done so before the adjournments spoken of?

A. I don't recollect that there was any acknowledgment to that effect, in a meeting capacity, before that time.

Q. Had you not before that time, received, read, and approved extracts from the Yearly Meeting held in Tenth-month, in your meeting?

A. I think it is very possible that might have been the case. I have not charged my memory with it particularly.

Q. Before the adjournment to Mathew Forsyth's, of which you were not asked in the meeting, if you considered yourself acting

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Q. Was not, after it was proposed to adjourn to Mathew Forsyth's, an application made to him in the meeting to know whether his house could be had for the purpose?

A. I think there was such an application. I did not recollect it when giving my testimony this morning.

Q. Have the persons who thus adjourned, by general reputation, continued to hold meetings ever since as the Chesterfield Preparative Meeting?

A. I suppose they have.

Q. Have those to whom you alluded, as having adjourned the Monthly Meeting, continued to hold, what they call Chesterfield Monthly Meeting, as a branch of Burlington Quarterly Meeting?

A. I suppose it to be so, from general repute. I don't pretend to know their title.

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A. My memory does not serve me with the words of the discipline on that subject, if there is any discipline on it.

Q. Have you ever extended any care to them for holding such meetings?

A. I think not.

Q. Have they to you?

A. They have undertaken to deal with some on a charge of disorder, in that respect.

Q. And testified against them?

A. And testified against them.

Q. Have all these appointments of trustees to the school fund, spoken of by you, and of Stacy Decow as treasurer of that fund, been made since the period spoken of by you, when the separation took place?

A. Yes, they were all made since that time.

Q. Did you as clerk of the Preparative Meeting, withhold the answers to the queries from the Monthly Meeting of Eleventh-month?

A. I delivered the answers of Chesterfield Preparative Meeting to Jediah Middleton, as clerk of the Monthly Meeting of Chesterfield.

Q. Did you withhold them from David Clark?

A. I did: as not being the regular clerk of that meeting.

Q. You have furnished a list which has been marked as an exhibit, N 2,] purporting to be a list of the members on both sides at the time of the separation; when and by whom was that list made out?

Q. It was made out last evening, I think, or this morning, by Jediah Middleton.

Q. When, and by whom, was the former list, exhibited, made out?

A. That I am not able to say.

Q. Do you undertake to say, from your own knowledge, that the last is a correct list?

A. I believe it to be nearly or quite correct; and made out for the time of the separation.

Q. Why is the name of Aaron Bunting omitted in the list now exhibited?

A. Because I believe him to have been under age at that time.

Q. Were all those on the list whom you call Friends, of age at the time of the separation?

A. I do not pretend to know the exact age; but from the appearance of the individuals, I suppose them to have been so.

Q. I observe in the exhibit, dots made opposite to some of the names, and not others; can you inform me what is the object of thus distinguishing them?

A. I noted them names or persons, as being forty or more years of age.

Q. Were not Sarah Thorn, Edith Lamb, Edith Lawrie, Charles Lawrie, Joseph Lawrie, George Lawrie, Lucy Ann Lawrie, Edith Lawrie, junior, and Elizabeth Hendrickson, junior, all members of that meeting at the time of the separation?

A. I am not able to answer that question.

Q. Are you not intimately acquainted with all or most of those persons?

A. Yes; I am acquainted with them, or most of them; but I am not acquainted with all their standing in society.

Q. How was it with those you did know?

A. I suppose they must have been members of that meeting. I am not clear as to Joseph and George Lawrie being members of that meeting.

Q. Did not you marry Joseph Lawrie's sister?

A. I did.

Q. How far did you live from him?

Witness. At what time?

Counsel. At that time.

A. I am not certain as to the time of Joseph Lawrie's moving away. I believe he must have lived in the verge of the Preparative Meeting at that time.

Q. Are not the persons whom I have named to you, with the exception of Sarah Thorn, Edith Lamb, and Elizabeth Hendrickson, the wife and children of Joseph Lawrie?

A. Yes, I believe so.

Q. Did not you know them then?

A. I have not said I did not know them.

Q. Which of the persons named do you not know?

A. I should like to have added to my answer, I did not know especially Elizabeth Hendrickson, I having been out of the neighbourhood sometime before; and with respect to Joseph and George Lawrie, my impression that they had had certificates to other Meetings at that time. I may be mistaken in that respect.

Q. Were not all the others certainly members of that meeting?

A. Yes, they were. Edith Lamb is deceased, and at what time I do not certainly recollect; I have apprehended that it was before the separation.

Q. Have any of those persons attended your meetings as members since the separation, or are they not with those you call Orthodox?

A. I believe Edith Lamb was not considered Orthodox; I apprehend the others were.

Q. Are the names of any of these persons on that list you have produced?

A. I believe they are not: it has been an oversight; they having been out of sight for some time, is the cause of their being forgotten.

Q. How far from the meeting house does Sarah Thorn live?

A. Not over a quarter of a mile, I suppose.

Q. Was the list containing the apportionment of the school fund, Exhibit K 2, made out by you, and do you speak from your own personal knowledge of its correctness, or from the information of others?

A. I believe I stated, that I thought it nearly or quite correct; and when I examined it, I thought it to be so; it was not made out by myself.

Q. How many of those persons named on that list, as living at the time of the separation, were members of the Chesterfield Preparative Meeting?

A. I do not know.

The counsel rest the cross-examination.

And the said James Brown being re-examined in chief, further saith:

Question by Mr. Price. Did Edith Lamb go with the Orthodox at the time of the separation?

A. Edith Lamb was an aged infirm woman, and very seldom went to meeting any where, in latter years.

Q. Did Sarah Thorn?

A. Sarah Thorn at the time of the separation was decidedly with Friends.

Q. But I suppose has since joined the Orthodox?

A. Yes.

Q. What did you make the result on each side according to your dotting the names on the list of the members over forty? and of the males only?

Witness. [Looking over the paper.] There are twenty-five that are forty or upwards, on the side of Friends, and nine of the like with the Orthodox.

Q. When the Orthodox left the Preparative Meeting, was it proposed at the meeting that it should adjourn to Mathew Forsyth's, or was Mathew Forsyth only asked by those who wished the use of his house, for the use of it?

A. The question was merely asked whether they might be admitted to his house; and they made no minute of adjournment.

Q. Which seems most like setting up a new meeting; for the body to meet to transact its business in the usual order, or the going off of a number to a private house in another township?

A. A small number going off in that way, appeared to me, and still most like setting up a new meeting.

Q. Yet the few who went off from the Monthly Meeting, and set a meeting in a private house, in another township, undertook to disown the greater body of the Monthly Meeting, who continued to do the business at the usual time and place, in the usual order of society?

A. Yes—they undertook to disown us; the greater part of the meeting?

Q. Does not a Preparative Meeting transact other business than that which is prepared for the Monthly Meeting?

A. It has other business to transact besides that which necessarily claims the attention of the Monthly Meeting.

Q. Does it not manage exclusively its own monied concerns?

A. I think it does.

Q. Does Chesterfield Preparative Meeting hold its property by virtue of any charter or act of incorporation?

A. I think not.

Q. Does any subscription list, or title deed, by which its property evidenced, contain any condition that it shall hold its property only in case of subordination to a Yearly Meeting, that shall be held in Amherst street on the third Second-day of Fourth-month?

A. No.

Q. Is the subordination of the meetings of the society a subordination for disciplinary purposes, and according to the discipline?

A. I think it is, if I understand the question.

And being again cross-examined on the part of Joseph Hendrickson he further saith:

Question. Is not the property of that meeting held in trust for the use of Chesterfield Preparative Meeting of the Society of Friends?

Answer. It is so held by trustees.

Q. If a member is disowned, does he not forfeit all his rights in the property of the society, as well as his rights to religious communion with them?

A. Perhaps I am not correct in my views on that subject; but I recollect one circumstance, wherein a person who had been appointed trustee to some of the property belonging to Chesterfield Monthly Meeting had been disowned by that meeting, and afterwards called upon to sign away his trust to another, when others were appointed by the meeting. From that circumstance, I have apprehended that they held the right of trust until they signed it away—but I am not sure whether that is correct.

JAMES BROWN.

Affirmed as aforesaid, and subscribed at the inn of William Ridgway in Camden, in the county of Gloucester, this first day of April, eighteen hundred and thirty-one.

J. J. FOSTER,

Master and Examiner.

The counsel for the complainant and Stacy Decow, here rest the examination of witnesses on their part.

Adjourned until Tuesday morning next, at 10 o'clock.

Tuesday morning, April 5th, 1831, at 10 o'clock. The parties and counsel attended, the same as at the last continuance.

In pursuance of the agreement entered into by the parties and the counsel on the 25th of December last, Joseph Hendrickson now for

the examination of such further witnesses on his part as is necessary.

Gloam. Before I proceed to call a witness, I think it necessary to inform the counsel for the opposite side, that in consequence of the order served upon us, requiring the production of the records of the Yearly Meeting for Sufferings, and of the Yearly Meeting of Philadelphia, an application has been made, and earnestly urged to those persons who are in charge, either to attend this examination, with the books, and to trust them to our care, that we might produce them in obedience to the court. We have received for answer, however, that after mature consideration, they do not feel themselves at liberty to comply with our request, inasmuch as the books have been confided to their care for safe keeping only by those meetings, and without any authority to remove them from their respective places of deposit. They conceive, therefore, that the removal of the books, for the purpose of exhibiting them as evidence in a cause pending in another state, and which might, of necessity, require their production in the court, or before its officers, at any time when they might perhaps be absolutely required by those meetings, in the event of all casualties which might occur to records of such long standing, so voluminous, and of such immense importance and interest to the Society, would be a violation of the trust reposed in them. Notwithstanding this determination, however, they are perfectly willing that the parties in this cause shall have the benefit of any information to be derived from them. And they have authorized us to say, that free access may be had to the records by either party, or his counsel, for the purpose of testing the correctness of extracts already made, and the making of any additional extracts that they may desire.

Price. I wish to know whether that privilege will extend to any person, who may be sent there to make extracts for the purpose of giving them here in evidence?

Gloam. The Society of Friends, as I understand it, have never been accustomed to either transact their business in the presence of persons who are not members, or to submit the minutes of their proceedings in any way to their inspection. If I understand the views of those persons in charge of these records, they do not wish to depart from this practice, either than shall be absolutely necessary to afford the parties in this cause a fair opportunity of obtaining any thing from the records which may be considered essential to their interests. I do not therefore understand from them, that they are willing to throw open these records to the inspection of any one who may present himself, claiming a right for the purpose of collecting testimony in this cause. But I do understand them, that they are perfectly willing to afford every facility to the parties in this cause, their counsel, or any acknowledged member of the Society of Friends for obtaining such testimony. And that if either the counsel of either party, on examining any of those records, discover minutes that are thought proper to be exhibited, or refer to any in the course of the examination, they will be permitted to make copies, which will be certified to be correct copies, or if it is necessary, they will be permitted to compare them with the originals with any disinterested witness they may think proper to produce, for the purpose of proving their correctness before the Examiner. Or if the parties, or counsel, prefer having the records examined by a person, they will be permitted so to do, provided they shall select

one who shall be entitled so to do, from his right of membership in the society.

Mr. Price. Am I to understand that such person must be a member of the Yearly Meeting held in Arch street, or of a meeting connected with that meeting?

Mr. Sloan. You are to understand that the society whose records they are, or rather that the agents of that society, in whose possession the records are, are unwilling to violate the trust reposed in them by the society, by submitting these records to the indiscriminate examination of persons not members of that society. But that in furtherance of justice between the respective parties in this cause, they are willing to depart from the usual rule of the society, so far as it may be necessary to do so,—and that therefore, either yourself, your associate counsel, or your clients, Thomas L. Shotwell or Stacy Decow, will at all times be allowed free access to the records, and be permitted, at your pleasure, to examine all or any of the minutes contained in them; and that any thing you may find therein recorded, will, as I have before stated, be permitted to be transcribed and certified, or proved by any witness that you shall introduce for that purpose, whether he should be a member of that society or not.

Mr. Price. Will copies of the minutes certified by the person having the records in charge, be received as evidence in this cause?

Mr. Sloan. Yes.

W. Evans WILLIAM EVANS, of Philadelphia, a witness produced on the part of Joseph Hendrickson, alleging himself to be conscientiously scrupulous of taking an oath, and being duly affirmed according to law, on his solemn affirmation, declareth and saith:

Question by Mr. Sloan. Are you a member of the Society of Friends?

A. I am, and always have been.

Q. What is your age?

A. I am in the forty-fourth year of my age.

Q. Have you for a long time taken part in the administration of their discipline, and been engaged in the ministry in the society?

A. I have taken part in the discipline of the society for twenty years, and have been acknowledged a minister, I think, about nine years.

Q. Were you a member of, and present in the Meeting for Sufferings, during its proceedings relative to a controversy at Wilmington, in 1822? If so, please to relate what took place.

A. I was a member at that time, and present on that occasion. The controversy alluded to, was respecting the doctrines of Friends, conducted by two persons, under the assumed names of *Paul* and *Amicus*. The former writing against, and the latter professing to defend the society, and appearing to write in its behalf. The manner in which the controversy was conducted appeared to implicate, in some measure, the reputation of Friends, and the subject was consequently introduced into the Meeting for Sufferings, by reading parts of some of the essays. A committee was appointed on the subject, consisting of John Cox, Jonathan Evans, Samuel P. Griffiths, John Comly, Samuel Bettle, Thomas Wistar, and Thomas Stewardson. They produced to a subsequent meeting, a written report, consisting of a disavowal of those essays, and also of some extracts from the writings of George Fox, William Penn, Robert Barclay, Richard Claridge, and of the Declaration of Friends in

This report was adopted by the meeting, and that part which claims any connexion with the writer of the essays, was directed to be transmitted to the printer, for insertion in the volume of those essays, about to be printed. A copy of the minutes of the Meeting for brings on the subject, with the exception of the extracts, is contained in this paper marked A by me. Those minutes have been correctly transcribed by myself from the original record.

The said copy of the minutes is offered in evidence on the part of John Hendrickson, and marked by me Exhibit No. 46. [See Appen-

I perceive by this minute, that it is incomplete, referring to something which followed.—Do those extracts of which you have spoken, the writings of primitive Friends, and which have been exhibited in this cause, follow immediately after the extract you have made, and delete the record?

They do so: and my reason for not copying them, was, that I understood they had already been exhibited in this cause. [The witness refers to Exhibit No. 12, as the extracts alluded to.]

I interrupted you in your answer to my former question, for the purpose of calling your attention to this minute,—have you any thing further to add relative to the proceedings of that meeting?

I stated in the forepart, that only a portion of the report was directed to be transmitted to the printer; the cause of which was this:—Some of the members apprehended that it would be attaching more importance to the essays of Paul and Amicus, to transmit those extracts, than an anonymous controversy deserved; and the meeting, on deliberating the whole subject, came to the conclusion simply to delete the essays.

Samuel P. Griffitts then rose and remarked, that it would be a pity that excellent and valuable extracts should be lost, and proposed that they should be printed in pamphlet form, for distribution amongst our members: and this was adopted, I think, without one dissenting voice, and the committee on books was directed to have them printed and distributed.

Was that the reason why the report was divided?

That was the reason.

Was the clerk directed by the meeting to place the whole report in the minutes?

He was directed to do so by the meeting: of which I have a clear and distinct recollection. This is the simple history of the origin and fate of those extracts, which have been contemptuously denominated

Was there any difference of opinion between the members of the committee appointed on that subject, or any disapprobation expressed?

I was not a member of the committee, and of course, can only say that I have been informed by one of that committee, that there was no difference of opinion in the committee in reference to the report. In the meeting for Sufferings, some hesitation was manifested by three or four members in the morning sitting; but in the afternoon it was very unanimously adopted;—indeed the solemnity which prevailed on that occasion, at the reading of the sacred truths contained in those extracts, seemed to shut out all doubt respecting the measure then adopted.

II.—42

Q. I alluded particularly to the committee, at the time of making the report to the meeting; did any of them dissent from the report?

A. There was no dissent in relation to the correctness of the report; but in the course of the discussion, John Comly did in some indirect manner, the form of which I do not now recollect, coincide with the little opposition that was made to it, by the few who spoke on the occasion.

Q. By the discussion spoken of, in respect to that report, do you mean the discussion as to whether the extracts should, or should not be published in the manner alluded to?

A. I have already stated that in the afternoon the report was adopted, I think, without a dissenting voice. It was in the morning, the difficulty was made by three or four, and that had relation to forwarding the whole report, as it was prepared; I think there was no objection made by any one, to the simple disavowal of the essays.

Q. Were you present in the Meeting for Sufferings, at the presentation of a minute from the southern Quarterly Meeting in 1826, purporting to be a minute of the appointment of new representatives in that meeting?

A. I was present on that occasion.

Q. Will you state what took place, and how it was disposed of?

A. It is well known that Bucks Quarterly Meeting transmitted a minute to the Yearly Meeting of 1825, proposing that a rule of discipline should be formed, directing that all important appointments be made for a limited time. Abraham Lower, though not a member of that Quarterly Meeting, explained the words *important appointments*, to allude to elders, and members of the Meeting for Sufferings. The way did not open to make any change in the discipline, and the subject was dismissed. When the minute of the southern Quarter, appointing new representatives, was produced in the Meeting for Sufferings, and difficulties were stated in the way of its acceptance, Abraham Lower informed the meeting that he had attended that Quarter in Fifth-month, and being an advocate for limited appointments, he had conscientiously called the attention of that meeting to a revision of its representatives. He acknowledged that he had originated the subject there, though he must have known of the recent decision of the Yearly Meeting. It appeared to many very much like an attempt to accomplish an object by contrivance, which he and others had failed to effect in the regular order of the society in the Yearly Meeting. The Meeting for Sufferings, aware of the nature of its constitutional powers, thought it best to act deliberately in the case, and verbally appointed a few Friends to consider the subject, and report what course it should appear to them proper for the meeting to pursue. They suggested to the meeting, whether it would not be expedient, and tend to the harmonious resulting of the subject, to appoint a committee to confer with the Quarterly Meeting, or a committee thereof, if such should be appointed. John Cox, Samuel Bettle, Thomas Wistar, William Newbold, John Tatum, were appointed a committee at that sitting for that purpose, and John Cook and Philip Price, added at the next meeting. In compliance with this appointment, several of them attended the succeeding southern Quarterly Meeting, with their minute; but the Quarterly Meeting did not enter into any conference with the committee on the subject. They produced a report which is contained in this paper, which with the minutes of the Meeting for Sufferings in connexion with that subject, is by

marked B. These minutes were copied by myself, and carefully compared.

The said copy is offered in evidence on the part of Joseph Hendrickson, and marked Exhibit No. 47. [See Appendix.]

Q. Did you attend the Yearly Meeting of ministers and elders in 1827, and were you present at the appointment of a committee to visit the subordinate meetings; if so, please to state the proceedings that took place?

A. I was present on that occasion. In their reply to the second query, which asks, "Are ministers sound in word and doctrine, and careful to minister in the ability which God gives?" the Philadelphia Quarterly Meeting stated some exception: and also, that persons had been travelling amongst them, promulgating sentiments tending to lay waste a belief in our Lord and Saviour Jesus Christ. The clerk, whose business it is to prepare a summary of the replies from the different Quarters, had incorporated this exception and statement in the general answer. Some objection was made to it in the meeting, but it was decided that the answer should stand as prepared. With this conclusion, William Jackson expressed his concurrence, and asked whether it was to go no further? whether it would not be proper, either by epistolary advice, or the appointment of a committee, to render assistance to the constituent meetings? The latter suggestion took hold of the meeting; and after some time spent upon it, it resulted in the appointment of such a committee; to which, however, some objection was expressed by a number of the members: but as the meeting deliberately weighed the whole concern, it was settled in the manner as stated. A copy of the minute made on the occasion is contained on this paper, and marked C. which I copied from the original record. On Fourth-day morning, early after the opening of the meeting, John Comly rose and expressed a desire that that conclusion might be reconsidered; several Friends objected to opening the subject, which they considered to have been settled: the meeting, however, did go into a reconsideration of it; and it was, I thought, the evident and solid conclusion of the meeting, upon a large expression of sentiment, that the measure was a right one. I thought John Comly himself, at the time, was convinced that it was the decision of the meeting, as he rose soon after the subject was dismissed, and bid the meeting an affectionate farewell.

[NOON.]

Q. Were you a representative in the Yearly Meeting of 1827?

A. I was appointed by Philadelphia Quarterly Meeting, one of its representatives to the Yearly Meeting of 1827, and attended it accordingly. The paper last referred to by the witness this forenoon, marked C. by him, was offered in evidence on the part of Joseph Hendrickson, and marked Exhibit No. 48.

Q. What was the number of representatives that year?

A. The whole number appointed was 163: Philadelphia Quarter, 24; Abington, 28; Bucks, 24; Concord, 12; Caln, 8; Western, 15; Southern, 15; Burlington, 9; Haddonfield, 10; Salem, 10; Shrewsbury and Rahway, 15; who, on being called, the minute of the Yearly Meeting says, "were nearly all present."

Q. Did Abington, Bucks, and the southern Quarter, increase their representatives that year?

A. They did so; Abington, for the four preceding years, had three times appointed 13, and once 14 representatives; in 1827 it appointed 28. In each of the preceding four years, Bucks had appointed 12 representatives; in 1827 the number was increased to 24. In the same term the southern Quarterly Meeting had three times appointed 10 representatives, and one year only 8; in 1827 the number was increased to 15.

Q. Were you present in the meeting of the representatives, at their conference respecting the appointment of clerk; and if so, will you please to state what took place on the subject of the nomination to be made to the Yearly Meeting?

A. The representatives were directed by minute, as usual, to confer together at the rising of the first sitting of the Yearly Meeting, respecting a clerk and an assistant to serve the meeting that year. They had scarcely assembled before John Comly was nominated by one of them, for clerk, and another proposed that Samuel Bettie should be continued in that station. As it is customary in the first place to decide upon the expediency of releasing the existing clerk, the previous nomination of another was objected to until that point should be decided. Some of the representatives, however, seemed determined that John Comly should be nominated, whilst others expressed themselves in favour of continuing Samuel Bettie: a number, I think, expressed no sentiment either way. Besides not being prepared to release Samuel Bettie, there were insuperable objections to the nomination of John Comly. Some of the representatives had been pretty fully informed that he had been holding private meetings in different parts of the Yearly Meeting; the object of which was reputed to be, to prepare the way for a separation in the society. I had heard of several of those meetings; one at least at Wilmington, and another at Darby, and I think some at other places. On meeting with John Bunting at Weston school but a few weeks before the Yearly Meeting, I made inquiry of him in presence of a number of the school committee, whether the report was true, that such a meeting had been held at Darby: he said that John had had a number of Friends there together, most of them, I think, members of that meeting, and perhaps two who were not. I asked him what the object of the meeting was: he said they had been discussing the divided state of the society. I then inquired whether they intended to separate from Friends at the approaching Yearly Meeting: he replied, "that will depend upon circumstances." I asked him then the question in general terms, whether they did not design to separate from Friends: he said he would not answer the question. Reports, as I stated before, of the nature and object of these private meetings, very much spread, and formed a conscientious objection in the minds of Friends, who wished the preservation of the society, to the nomination of John Comly for clerk of the Yearly Meeting, independent of the persuasion that Samuel Bettie's services had not ceased. Abraham Lower, who was very active in behalf of John Comly, pretty early in the meeting of representatives, called upon John Watson to go to the table and draw up a report proposing him for clerk. John did not seem disposed to obey his summons, and did not comply with it. Perceiving the impracticability of carrying his point, while all the representatives partook in a joint deliberation, he attempted to divide them, by proposing that those who were in favour of John Comly should draw to the back part of the meeting house, and there prepare a report; he accordingly

took a few steps towards the aisle, and from six to ten rose with him. This was the first open attempt at producing a separation amongst Friends, that I have any knowledge of. The measure, however, was protested against as a departure from the principles by which the society professes to be governed in its deliberations and decisions. Several of the Quarterly Meetings had made an unprecedented increase in their numbers, and this proposal of Abraham Lower's seemed to indicate a design to overrule the representatives of other Quarters, by numbers. It created feelings of much concern, to discover an attempt at management and contrivance to accomplish an object in the manner in which civil and political associations transact their concerns. Several Friends reprobated it in strong terms; and whether from the opposition to it, or disappointment at the smallness of the number of those who rose in union with it, they resumed their seats. Abraham seemed very much excited at finding that the representatives were neither to be led nor driven into his views, and reflected upon his opponents as the few who wished to rule over the many. Cephas Ross also became excited on the occasion; and I thought conducted himself in a way not very becoming the occasion. He seemed to be heated with the notion, which has been industriously spread in our society, that others wished to domineer over them; and in a very irreverent manner, and without any direct provocation, he said he "had his commission from God, and would resign it to no man." I was shocked with the use of the sacred name, in the manner he expressed it, which to me, at the time, seemed to amount to profanity, and I believe many others had similar feelings. John Cox rose and remarked, that "there was a degree of decency and respect due to one another on all occasions, both in civil and religious society, and it ought to be observed;" with some other appropriate remarks disapprobatory of such conduct, and which I thought at the time, had he any feeling, must have come home closely. It had been evident for a considerable time, there was no probability that the representatives could unite in releasing Samuel Bettle, and it was proposed that John Cox should report to the meeting, that "way did not open to release him." Some of the representatives rejected this proposal, as I think they said *way did open* in their minds to release him. After a considerable interchange of sentiments, it was suggested that the report should be modified, and John Cox authorized to state to the Yearly Meeting, that "the representatives could not unite, or had not united in offering any name." Those in favour of Samuel Bettle preferred the first form proposed, but seeing there was no probability that it would be acceded to, yielded their judgments, and many of those who preferred John Comly, expressed their concurrence with it. Abraham Lower perceiving that the number of those originally favouring his views was falling off, said "my Friends you don't know what you are doing; if that report is made, Samuel Bettle will be clerk." We had now sat a long time; much had been said; and it appearing there was no proposition in which the representatives could so generally unite, it was generally acquiesced in; and the representatives broke up their sitting with the clear understanding, that John Cox was to report to the Yearly Meeting, that they "could not unite in offering any name."

Q. Did any of the representatives leave the house before that conclusion was come to?

A. No one that I observed, except Cephas Rosa. He was absent,

I think, from twenty minutes to half an hour; he returned with a large Dutch cake in his hand, which he sat eating in front of the representatives.

Q. Was it agreed by the representatives to take their sense in the first place, whether the name of John Comly should be reported to the Yearly Meeting?

A. There was no such agreement whatever.

Q. Did those who spoke in favour of continuing Samuel Bettie, claim to be the weightier part of the representatives, and therefore insist that they ought to govern the decision?

A. They did not make any such claim, nor insist upon governing in the decision. They exercised their right in speaking their sentiments, and without referring to weight, had a much better ground for proposing the continuance of a clerk, who had been theretofore appointed in the unity, and served the meeting acceptably, than those had, who advocated a person engaged in devising measures to revolutionize the society.

Q. Was Abraham Lower denied the right of being heard on that occasion, or ordered to "sit down," by Thomas Wistar?

A. He was not denied the right of speaking on the occasion; nor was he ordered by Thomas Wistar, or any one else to "sit down," that I have any recollection of. He occupied, I think it may be said, much more time in speaking than any one else; and considerable objection was made to some of his sentiments. It is possible in consequence of his speaking so frequently, he may have been requested to allow others an opportunity to express their sentiments; but there was no attempt made to prevent him or any one else from exercising the right of speaking there.

Q. Was Marden Wilson appointed to act as clerk for the representatives?

A. He was not.

Q. Did he go to the table, and if so, when, and by whose authority?

A. He, nor no one else went to the table, that I observed, during the sitting of the representatives. If he went there at all, he had no authority from them to do so.

Q. Did John Cox go to the table during the sitting of the representatives?

A. He did not go there during the sitting of the representatives; just as the representatives were breaking up, I observed three or four persons at the clerk's table, and as John Cox, and two or three Friends passed me on their way to the south-west door, I requested them to stop till I inquired what was doing there. They did so; when I got to the table, I found a person writing whom I did not know; I asked the question, what they were about, but he kept on writing without making any reply, and in about one minute after I reached the table, I saw the south-east door opening, which I understand was opened by one of the representatives going out; the meeting immediately began to convene, and those at the table hastily left it. Had John Cox have come up into the gallery to the table, I think I must have met him as I was coming down. I believe he did not go there until he came to take his seat in the Yearly Meeting.

Q. Which table was it?

A. It was the table occupied by the clerk in the upper gallery, standing at the top of the passage way.

Q. Did those representatives who were in favour of continuing Samuel Little, manifest any excitement or conduct themselves arbitrarily and improperly on that occasion?

A. I have no recollection of any thing of the kind; but on the contrary, I thought there was a good deal of patience exercised during the three hours' session of the representatives.

Q. Was there a conclusion come to by the representatives at that sitting, to postpone the further consideration of that subject, till eight o'clock the next morning, or until any future period?

A. There was no conclusion of that kind; and the fact that those persons at the table continued writing until the meeting convened, (which, however, was but a short time,) shows that *they* did not understand any such conclusion to have been come to; and I have no recollection of hearing such a proposition made; if it was made, it must have been by some individual between the breaking up of the representatives, and the convening of the Yearly Meeting.

Q. Halliday Jackson, (a witness who has been examined here,) has spoken of an interview between you and himself, at the close of a meeting at Byberry, I think, in Eleventh-month, 1826, relative to a communication made by you in that meeting. Will you state what passed upon that occasion?

A. I attended a meeting at Byberry, appointed by George and Ann Jones, the precise time I do not now recollect; in which I spoke near the close of it. When I came out of the house, in company, I think, with Asa Walmsley, we got into conversation near the door, and Halliday Jackson observing us, came towards me, and said in a very rude and passionate manner, "Thee has come here this morning, with a lie in thy mouth." I think I said very little more to him than that it was not so. In going to Isaac Comly's, where I dined, without mentioning to him what had occurred, I inquired of him, whether what I had said in the meeting that day was untrue: he replied, no; and then asked why, did any one say it was? He was then in the station of an elder in that meeting, and I should suppose must have been better acquainted with the members of it than Halliday Jackson was; and had there been the least ground for Halliday's charge, I think Isaac Comly's candour, would not have allowed him so flatly to contradict it.

Q. Is he the brother of John Comly, and has he gone off with him in secession?

A. He is so, and has gone with him.

Q. Is John Bunting, spoken of by you, also one of that party?

A. He is one of that party.

And the said William Evans being cross-examined on the part of the complainant and Stacy Decow, further saith:

Question by Mr. Price. Did you leave the meeting of the representatives when the doors were opened and the people thronged in?

A. I was at the clerk's table at the time the doors were opened; and when those who were there also dispersed, I went down out of the gallery, but whether I left the meeting immediately, I cannot recollect.

Q. From the inquiry you made of the person writing at the table, I

infer you did not hear what had passed among those around the table that led to the writing that was going on?

A. I did not hear any thing that passed among those individuals around that table: they said nothing as the meeting convened; but simply dispersed, while I was at the table.

Q. Was it stated to the meeting of the representatives, as a ground of objection to John Comly's serving as clerk, that he had been holding private meetings to divide the society?

A. I do not distinctly recollect that it was mentioned; and yet, I think, I made some remarks myself alluding to it. There was not, however, much discussion respecting John Comly on the part of those who were not prepared to release Samuel Bettle; they confined their remarks very much to him, as not yet having fulfilled his services.

Q. Is it customary to appoint the clerk of the Yearly Meeting every year?

A. It is customary either to continue the same clerk, or appoint another in his place.

Q. Are all who were appointed on the committee, by the select Yearly Meeting, members of the same society that you are?

A. Three of them are deceased, the rest are members of the religious Society of Friends.

The question is again read to the witness, when he further answers—
I am a member of the religious Society of Friends, to which they also belong.

Q. Did those who are deceased continue to belong to the same religious society during their lives?

A. They did so.

Q. From what select Preparative Meeting did the report of unsoundness in the ministry come, which occasioned the appointment of that committee?

A. I am unable to say what Preparative Meeting it came from: that part of it which speaks of persons travelling amongst them propagating sentiments derogatory to the character of our Lord, went up from the Preparative Meeting of the Monthly Meeting of the southern district.

Q. Do you yourself and Jonathan Evans belong to that Preparative Meeting?

A. We do.

Q. Yourself and Thomas Evans are sons of Jonathan Evans?

A. Yes.

Q. When a report is made to a meeting of the society by a committee, is it usual for those who did not concur in committee, formally to dissent on the presentation of the report?

A. It is not usual.

Q. When the committee of the Meeting for Sufferings, which reported the disavowal of the responsibility of the society for the writings of Amicus, made their report, was it accompanied by the extracts spoken of, as part of the report?

A. It was so.

Q. Who presented those extracts for the consideration of the committee?

A. I do not know.

Q. Do you know who selected or prepared them?

A. I do not.

. Do you know who prepared the declaration issued by your Yearly Meeting in 1828?

. It was prepared by a committee of the Meeting for Sufferings, the names I do not now recollect.

. Can you not recollect any of them?

. Well, I can recollect a few of them; and if it is proper, can state part of the committee, but it will be very imperfect. I think John Hinchman Haines, Joseph Whittall, Samuel Bettle, and myself, part of the committee—but my recollection of them is so imperfect I am not certain as to all these—and I think there was a considerable number more.

On whom did the labour of its composition principally devolve?

. I drew up a sketch of the declaration, which was afterwards modified and added to, by the committee.

You say you were informed by one of the committee that reported extracts, that there was no division in the committee—who was that one?

. I think my father stated to me that there was no division in the committee in relation to it.

Have you no information by general repute, or otherwise, as to who prepared those extracts?

I have no general repute on the subject, nor did I ever hear, that I have any recollection of, who did prepare them.

The extracts themselves do not mention the authors, books, or papers, whence they were made?

They do not.

His testimony being read over, the witness, on recollection, adds to his answer, last but not one, that he has no further general repute on the subject, than what has been communicated through an anonymous pamphlet which has been circulated, entitled "The Hole in the Wall," in which there are certain caricatures, designed to represent, as he has understood, various members of the Meeting for Sufferings; and one of them, Jonathan Evans, pointing to the extracts, and sitting at a desk preparing them. If information thus given constitutes general repute, I have such repute, but not otherwise.

And further this affirmant saith not.

WILLIAM EVANS.

Affirmed and subscribed at the house of William Ridgway, in Camden, in the county of Gloucester, this 5th day of April, 1831, coram,

J. J. FOSTER,

Master and Examiner.

Adjourned until 10 o'clock to-morrow morning.

Wednesday morning, April 6, 10 o'clock. Examination continued. Test as before.

JOHN PAUL of Philadelphia, a witness produced on the part of Joseph Wadrickson, alleging himself to be conscientiously scrupulous of taking an oath, and being duly affirmed according to law, on his solemn affirmation, declareth and saith:

Question by Mr. Sloan. Are you a member of the Society of Friends?

. Yes, I am a member of the Society of Friends, and have been a member from my childhood.

. What is your age?

. I am fifty-nine years of age.

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Q. Were you a representative to the Yearly Meeting of 1827?

A. I was appointed a representative by the Philadelphia Quarterly Meeting, to the Yearly Meeting of 1827.

Q. Will you state what occurred in the meeting of representatives in their meeting held that year, for the purpose of considering the name of a suitable person to be nominated to the Yearly Meeting for their clerk?

A. At the rise of the first sitting of the Yearly Meeting, the representatives were directed to remain together to agree upon, and propose to the Yearly Meeting a Friend to serve it as clerk, and one to assist him. They accordingly, after the rise of that meeting, drew together, and before they were settled John Comly's name was offered in nomination for clerk. Samuel Bettle was also named. It was stated that it was usual for the representatives, previous to considering any new nomination, to consider whether they were prepared to release the clerk that had acted the preceding year. Several Friends expressed, as their judgment, that the time for releasing Samuel Bettle had not yet arrived, and they united in his continuance. The friends of John Comly insisted, that as he was first named, the consideration of his appointment ought first to take place. A number of Friends expressed their sentiments in favour of one or the other of the names proposed; and in support of the nomination of Samuel Bettle, it was stated that no objections had been made to his services as clerk. His opponents were also reminded, that at the close of the Yearly Meeting the preceding year, several of them had expressed their satisfaction with his services. It was also stated, that it had been reported, and believed to be a fact, that John Comly had held a number of meetings a short time previously, for the purpose of making a division in the religious Society of Friends, and was, therefore, very unsuitable to be appointed as clerk to the Yearly Meeting. A number of representatives again expressed their sentiments, some in favour of the one, and some in favour of the other of the persons whose names were proposed as clerk. The friends of John Comly claimed to have the majority, and therefore, he ought to be appointed, as they alleged: it was stated that the majority ought not to govern; that it never had been the practice of the society to go by majorities; and in the present case, there would be injustice in it: because it was represented, that Abington Quarterly Meeting, and Bucks Quarterly Meeting, had each of them doubled their representatives, and that the southern Quarterly Meeting had added one half more to the number of their representatives than they had usually appointed. They, however, urged that the question should be settled by a vote; by the majority: and Abraham Lower called upon John Watson to go to the clerk's table, and take down the names of all those who were in favour of John Comly. He was urged to this by some other individuals; but a number of elderly respectable Friends objected to any question among the representatives to the Yearly Meeting being settled in that way; stating, that it was a novel procedure, and what had not been countenanced by the society. John Watson, finding that there was so great opposition to the proposal, excused himself on that account, and declined to go to the table. Abraham Lower, still bent upon his purpose, proposed, that those that were in favour of John Comly should go over to the eastern side of the house; he rose and took a few steps in that direction himself, and a few others rose also: but the measure

was again opposed, and protested against, by a considerable number of friends: and that effort failed also; that effort to take the sense by a majority. One individual, I recollect, after protesting against that method, as being contrary to the usage of society, stated, that it could not be conceded to the Quarterly Meetings of Abington and Bucks, and the southern Quarter, (who had increased their representatives, as was stated,) to effect their own views by thus taking the other Quarterly Meetings by surprise; and the representatives were competent, if that mode was insisted upon, and ought to determine who had a right, and who had not a right to vote, or to be heard on the occasion; I don't know that I have the precise words, but such was the substance; that it could not be expected that all the representatives, so increased by the Abington, Bucks, and southern Quarters, had a voice equal with the representatives of those Quarterly Meetings, where but a small number of representatives were appointed. These remarks caused considerable excitement in several of those who favoured the appointment of John Comly. Cephas Ross, I recollect, made a pretty long harangue on the occasion, in which he, as I thought, very irreverently declared, that "he had received his commission from God Almighty, and would give it up to no man." I think he made use of those words twice, in the course of his communication. The representatives finding they were not likely to agree on either of the names that was proposed or nominated for clerk, it was proposed that John Cox should report to the Yearly Meeting, "that way did not open in the minds of the representatives to release Samuel Bettle." This was objected to by a considerable number of the friends of John Comly; and it was suggested to alter the phraseology, so as that John Cox should report, "that the representatives could not agree upon any name to offer to the meeting as clerk." This proposition seemed to be approbated by a considerable number of the friends of John Comly, which seemed to alarm Abraham Lower, and he arose and cautioned his friends to "take care what they were about; if there was no name reported to the Yearly Meeting for clerk, Samuel Bettle would be the clerk." The subject continued under discussion for a short time, and it appeared to gain more advocates. Abraham again rose, and expressed himself, I think, nearly in these words, or entirely as near as I can recollect: "My friends, I want you to understand that you are going to do: if there is no name reported to the Yearly Meeting for clerk, Samuel Bettle will be the clerk, as a matter of course." The proposition, however, seemed to be united with more fully than any thing else that had come before the representatives, and it was concluded that John Cox should make the report as before stated; and the representatives were about to disperse, when Abraham Lower again told his friends, that if there was no name reported to the Yearly Meeting, Samuel Bettle would be appointed the clerk: and called upon all those who were favourable to the appointment of John Comly, to come up to the clerk's table, and sign a report to that effect. He went up to the clerk's table, in the upper gallery, I think, and a few others went up with him, perhaps eight or ten individuals, and the representatives dispersed: the time to which the next sitting of the Yearly Meeting stood adjourned having nearly or quite arrived, the representatives opened the doors to withdraw, and the meeting assembled, while those I have mentioned, were in the gallery, I think; I then went out of the house as friends were coming in.

Q. Was there any agreement come to by the representatives to consider the nomination of John Comly first?

A. Such a proposition was made; but there was no such agreement come to.

Q. Was Abraham Lower denied the right of being heard, and ordered to "sit down" by Thomas Wistar?

A. No. He was not denied being heard; nor was he ordered to sit down by Thomas Wistar: so far as I have any recollection of. I believe, however, from his frequent speaking, and taking up so much time of the representatives, that he was requested to let others have an opportunity of expressing their sentiments also.

Q. Was Marden Wilson appointed to act as their clerk, by the representatives?

A. The representatives had no clerk. I do not know Marden Wilson, and I do not recollect to have heard his name mentioned.

Q. Did any of the representatives leave the house before it was concluded that John Cox should report as you have stated, or was that conclusion come to whilst all the representatives continued in session?

A. I do not recollect that any of the representatives left the house before that conclusion was come to, further than merely to step out and return again; and further, I believe they were all, or nearly all, present when that report was agreed upon—all, as far as I know.

Q. Was there any conclusion come to, to adjourn the further consideration of this question until 8 o'clock the next morning, or to any other time?

A. There was not any conclusion come to by the representatives to adjourn, to any time, the further consideration of that question.

And the said John Paul being cross-examined, on the part of the complainant and Stacy Decow, further saith:

Question by Mr. Price. Which of the persons nominated for clerk were you in favour of?

A. I was in favour of Samuel Bettie; because he had for a number of years previously served the meeting to good satisfaction, as far as I could judge. Perhaps I should have preferred him to any other name that could have been offered; but particularly in preference to the one that was opposed to him, for the reasons assigned among the representatives.

Q. Has it not been according to the discipline and practice of the society rather to avoid the long continuance of the same clerk in office, that others may also be exercised in the same duties?

A. I believe that has not been the case in our Yearly Meeting; or in the Yearly Meeting particularly. Samuel Bettie had been appointed for a considerable number of years, as the subject passed under the review of the representatives every year; so long as it is supposed his services have not ceased, I apprehend he will continue to be appointed.

Q. Is it considered the business of the representatives every year to nominate suitable persons to serve the meeting for that year?

A. It is so.

Q. Is there any limitation imposed by the discipline on the Quarterly Meetings, as to the number of representatives they shall send to the Yearly Meeting?

A. I know of no discipline that will prevent the Quarterly Meetings from appointing as many representatives as they may think expedient.

ere has, however, been practice in the case, wherein a certain number representatives have been appointed from each of the Quarterly Meetings. Philadelphia Quarter had *three* representatives to each Monthly Meeting. Most of the others, where they appointed, particularly out of the Monthly Meetings, I think had *two* to each, for a number of years previous to 1827; and I believe some of the Quarters are in practice of appointing out of the meeting at large: their number is perhaps generally smaller.

Q. In all the Quarterly Meetings, would not those of each of the parts that divided the society, have an opportunity of nominating representatives?

A. They would, doubtless, all have an opportunity of nominating representatives.

Q. Did those Quarters which you say increased their representation in 27, send more than at the rate of three representatives for each of their Monthly Meetings?

A. I understand it to have been so, that they sent *four* for each of their Monthly Meetings, except the southern Quarter, and that sent *two*.

Q. Who informed the representatives that John Comly had held private meetings to divide the society?

A. I think it was stated as a matter of common repute, by more than one; I think I stated it myself, or alluded to it rather—I don't know if I was the first that mentioned it. I had heard it previously, frequently.

Q. Was it so distinctly stated to the meeting of the representatives, that they could all hear and understand that you made such allegation against John Comly?

A. That is a question I am not capable of answering: the house is a large one, my voice is not very strong, and whether I was heard over the whole house or not, in my allusion to the subject, I am not able to say.

Q. You only then alluded to the subject, without distinctly asserting for the information of the meeting?

A. As I stated before, I think I was not the first that made mention of it, though I alluded to it as having heard it before, in a voice that I suppose might have been heard for a considerable distance from me. I signed to have been heard.

Q. Did any body call upon the representatives to vote the question that divided them?

A. I don't know that precisely in that term they were so called upon; but what I consider a *vote*, is determining the sense by the majority.

Q. When your opponents insisted upon settling the question by majorities, what did you insist was the rule to settle it by?

A. There was no rule insisted upon; but *that* was a mode that never had been resorted to in the society, as was stated by several Friends, to settle the question by.

Q. When the principle of numbers was objected to, was there no mode pointed out, by those opposed to it, as the proper one for coming to a decision?

A. I do not recollect that there was any precise mode pointed out, other than what was usually practised in the Society of Friends. There was generally a yielding, where there is a difference of sentiment, of one

party to the other; and I apprehend previously to that time, had Friend, however high his standing, have been proposed for clerk to Yearly Meeting, and the representatives had been informed of his having been charged with holding meetings, with a view to make a separation in the society, whether that charge was correct or not, I think they would have yielded their sentiments.

Q. Would they have yielded, if they believed he was endeavouring to save the society, and the other to destroy it?

A. That, to be sure, might alter the case; but no such allegation was made as related to John Comly, that I heard of.

Q. If neither party will yield, how is the decision to take place?

A. The case must be disposed of, I should suppose, as it was in the year 1827, when a report was made to the Yearly Meeting, that the representatives could not agree upon any name as clerk.

Q. If a meeting of the society then is divided, and neither party will submit to the other, it is not to be considered as carrying the measure that they are disagreed about?

Witness. Does the counsel allude to meetings of representatives, or other meetings, when there are clerks to act for the meeting?

Counsel. I allude to the meetings of the society generally.

A. In most other meetings, or in all, perhaps, all meetings of business, the meeting has a clerk whose duty it is to collect the sense of the meeting; and where there is a division of sentiment, if he is rightly qualified to act as a clerk, he will be able to discern on which side of the question the greatest weight of the subject will preponderate; and be able to make the decision accordingly.

Q. What are we to understand by a *right qualification* in the clerk?

A. An overshadowing of that power which is not at his own command, and which will enable him to make proper decisions.

Q. Do the speakers in the society deliver their sentiments when rightly qualified, under the same divine authority?

A. When rightly qualified, of course they do.

Q. If there be no clerk present, as in the representatives, who is to judge whether the speakers speak from right qualification, or not?

A. I suppose every individual will judge in such case.

Q. If the clerk thinks that what is delivered by the voices of a few is though against that of the body of the meeting, is the preponderating weight of the subject, is he bound to record it as the sense of the meeting?

A. The clerk of a meeting, I apprehend, must be satisfied in his own mind, what is the true and solid sense of the meeting; and when he is fully satisfied himself on that subject, I should suppose it was his duty to record it accordingly, under the covering previously spoken of.

Q. If it be not the true and solid sense of the meeting, though the clerk may deem it to have the sanction referred to, can he record it as the sense of the meeting against the will of the meeting?

A. I know of no such occurrence having taken place.

Q. When the clerk essays a minute of what he apprehends to be the sense of the meeting, is it usually read to ascertain whether he has taken the sense of the meeting?

A. It is usually so read.

Q. Is it then open for propositions to alter or change it?

A. If the clerk is deemed not to have taken the sense of the meeting, I presume it would be open for discussion.

Q. Do not committees of the Yearly Meeting usually report their case, by the signature of those who concur in it?

A. I believe that is not a *general* practice, as far as I am acquainted with it.

Q. Is it the case in respect to appeals?

A. In the case of appeals, I believe those favouring the report usually sign it.

Q. Do those who do not favour it?

A. I was going to add to the other answer, that the decision in cases of appeal are subject to the approbation of the meeting, for them to adopt it, or otherwise. Those who do not favour the report, I believe do not sign it.

Q. Did you ever know of an instance in which the report of a committee on appeals was overruled by the Yearly Meeting?

A. I do not recollect of any such case: I, however, remember, that either in the case of Ezra Comfort or Isaiah Bell, or both, and I am not clear whether one or the other, or both, when the report was made against the judgment of Abington Quarterly Meeting, reinstating them again to their rights of membership, that it was proposed not to accept the report: it was, however, overruled by the meeting; the opposition was overruled.

Q. By whom was it proposed in the meeting of the representatives, that John Cox should report that the representatives could not agree on the name of a clerk to serve the meeting?

A. My memory does not serve me to answer that question: the impression on my mind, however, is, that the variation from the first proposition was made by one of those who favoured John Comly; but I cannot recollect who it was.

Q. Was it the expectation of those who opposed the nomination of John Comly, that under such a report, Samuel Bettle would be continued as the clerk?

A. I have no recollection of having heard any one deliver a sentiment on that subject, with the exception of Abraham Lower, and perhaps two or three others, who united with him in that view, of his own party.

Q. You had not then any idea that if no nomination for a new clerk could be agreed on, that the former one would continue to serve the meeting?

A. I cannot answer for the sentiments of those who I never heard express themselves on the subject; but as to myself, when Abraham Lower made the suggestion, I apprehended it would be so.

Q. Did the representatives make an adjournment of their sitting by mutual agreement, or were they interrupted by the gathering of the Yearly Meeting?

A. I understood it, by general agreement; they were not interrupted, so far as my memory serves me, until the representatives opened the doors to retire. There were, however, some few that I suppose were not prepared to adjourn, inasmuch as a company of eight or ten went to the table of the clerk of the Yearly Meeting, at the request of Abraham Lower, as before stated.

[NOON.]

representatives, that they should not meet

at any future time to complete the business devolved upon them by Yearly Meeting, and the usage of the society?

A. There was no agreement came to of any kind; there was no proposition to that effect, that I recollect; as to any adjournment I speak not.

Q. Was it agreed that the subject should be referred to the consideration and decision of the Yearly Meeting?

A. I know of no other agreement come to by the representatives, than that John Cox should report that they could not agree upon any one to propose to the meeting as clerk.

Q. Is Isaac Comly, spoken of yesterday, a brother-in-law of William Evans?

A. I do not know Isaac Comly when I see him; but I have understood he is a brother-in-law of William Evans; they married sisters, as I understand.

• The counsel for complainant and Stacy Decow, rests the cross-examination of John Paul, and the testimony being read over to the witness further he saith not.

JOHN PAUL.

Affirmed and subscribed as aforesaid, at the house of William Ridgway, in Camden, in the county of Gloucester, this sixth day of April eighteen hundred and thirty-one.

J. J. FOSTER,

Master and Examiner.

The counsel for Joseph Hendrickson here produced to the examiner, a certified copy of an order of his Excellency the Chancellor, granting leave to the said Joseph Hendrickson, further to examine Samuel Craft and Thomas Evans, as witnesses in this cause, bearing date March 28th 1831, in pursuance of which order,

Craft

SAMUEL CRAFT, a witness heretofore examined on the part of the said Joseph Hendrickson, being recalled, and alleging himself to be conscientiously scrupulous of taking an oath, affirmed according to law, on his solemn affirmation declareth and saith:

Question by Mr. Sloan. Have you the records of the Chesterfield Monthly Meeting, of which you are a member, which have not already been exhibited here?

A. I have all the records of Chesterfield Monthly Meeting, which were in the possession of David Clark at the time of the separation; I think they commence in the year 1797.

Q. Will you produce them, that they may be made exhibits in this cause?

A. These are the books. [The witness produces three volumes of records.]

Mr. Sloan. In pursuance of the notice served upon us, we have caused the records of that Monthly Meeting, so far as they are under the control of, or accessible to the party whom we represent, to be produced, and now offer them to the counsel for the complainant and Stacy Decow, that he may make exhibits of them in the cause, if he shall think fit.

Mr. Price. I wish them marked as exhibits in the cause.

And they are accordingly marked as exhibits in evidence, on the part of the complainant and Stacy Decow, O 2, P 2, and Q 2, respectively.

Mr. Price. The records of the same Monthly Meeting, prior to our possession, are also now produced in obedience to the counsel for Joseph Hendrickson.

And, thereupon the said books of minutes, prior to 1797, a

ice on the part of Joseph Hendrickson, there being four of the
 18, the first commencing the 1st of Twelfthmonth, 1777, and
 ending with the minutes of the Monthly Meeting of 7th of Tenth-
 month, 1781, of which said four volumes are marked Ex Libris No. 13, 14,
 15, 16, respectively.

On 10th Mr. Stone. Can you state whether the establishment of
 for the guarded education of youth, and of Ex Libris No. 13, for the
 of the children of intelligent members, and for the promotion of
 generally, originated with the Yearly Meeting, and was recom-
 mended by it to its subordinate meetings, or with the subordinate meet-
 ings, and of their own independent action.

On 11th the examination of the records of Nottingham Quarterly
 Meeting (Ex Libris No. 13), that previous to the year 1777, the Yearly Meet-
 ings repeatedly recommended to the attention of the Quarterly Meet-
 ings the establishment of well regulated schools, for the guarded educa-
 tion of youth. And in that year, under date of 21th of Eleventh-
 month, 1777, will be found the following narrative, viz: "Our friends
 Churchman, Thomas Lightfoot, James Moon, Warner Maffin,
 and Huff, and Samuel Smith, attended this meeting as a part of a
 committee appointed by our last Yearly Meeting, to assist the Quarter-
 ly Meetings in divers weighty matters recommended to the notice and
 consideration of Friends, touching the education of our youth in our
 land in respect to their school education." "Also respecting
 the education of youth, pointed out in the reports to the Yearly Meet-
 ings a copy of the minute of the last Yearly Meeting on those
 being produced by them and read, and coming under the
 consideration of the meeting, the following Friends are ap-
 pointed to go into the service as way may open, and to join with such
 as the Monthly Meetings may appoint on the same account.
 William Jones," &c. I find further on those records that from
 forward, the Quarterly Meeting for many years kept a stand-
 ing committee on the subject, and they reported from time to time to
 the Yearly Meeting of their care extended, and of the efforts pro-
 duced by their labours. In Eleventh month, 1781, they state that a
 plan is set on foot for the establishment of a fund in one of the
 meetings, and their care appears to have been continued from time to
 time till the year 1782; and at different periods they were instructed
 by the Yearly Meeting to unite with the committees of the Monthly
 Meetings on this subject—in procuring well regulated schools, and the
 raising of funds, the proceeds of which were to be applied for
 the education of children of intelligent members; and also for the
 benefit of scholars more generally. And it appears by a minute
 of 1st of 11th month, 1782, the Quarterly Meeting, in order to carry
 out the recommendation of the Yearly Meeting, on those subjects,
 did to appropriate a part of the funds belonging to that meeting;
 on occasion the following minute was made, viz: "In pursuance
 of a resolution to consider in what manner, and to what purposes,
 of the Quarterly Meeting and the old meeting house in Hur-
 tlebury should be appropriated, we have met, (five of the committee ex-
 cepted) and after deliberating thereon, unanimously agreed to propose,
 that a sum of two hundred and twenty five pounds of the surplus of
 the above the standing sum of three hundred pounds, should be
 distributed among the several Monthly Meetings, in proportion to the said

Meetings, and the Monthly Meetings enjoined to forward to the Quarterly Meeting next preceding the Yearly Meeting, the schools within each respective meeting. And it appears by the book of discipline, (Exhibit 13,) that previous to the revision of the present book, in 1805, or at that period, in order that the Yearly Meeting might be annually informed respecting the care of the sub-branches for those important subjects, a query was adopted in the following words: "Are there schools established for the education of youth under the care of teachers in membership with us, and attended by committees appointed either in the Monthly or Pre-Meetings?" There also appears under the head of schools, in the book of discipline, on pages 97, 98, pressing recommendations for attention to those important subjects, which I do not think necessary here copied on the minutes. From the information I have thus obtained from those sources, together with my personal knowledge, having many years on such committees, I am satisfied that the concern for establishing schools and funds to promote the guarded education of youth, originated in the Yearly Meeting; and through the united efforts of superior meetings, was introduced into Monthly and Pre-Meetings, and the members of those meetings hereby became united in the same cause, and united in carrying those objects into effect.

Q. Was the Chesterfield school fund originated in this way?

A. Yes, I am satisfied it was; for I find under date of 26th of month, 1735, in the Quarterly Meeting records, (Exhibit 7,) the following other things in the report of the committee appointed on the subject of schools, "that there is one school within the Monthly Meeting of Chesterfield, with a fund established, to which there has lately been an addition." And at the close of the report they say, "the subject submitted to our care respecting the division of the surplus of the year towards the establishment of funds, &c. has been attended to, and a greater part of the money already distributed,"—and the following resolution made by the Quarterly Meeting: "the substance of the foregoing report was also directed to be sent forward to the Yearly Meeting."

Meeting's stock, is fifty-four pounds eighteen shillings and four pence farthing." I also find on the records of Chesterfield Monthly Meeting, [Exhibit Q 2,] under date of 3th of Tenth-month, 1802, the following minute, viz: "The Friends appointed to sell the old meeting house, produced a report in writing, which being read, was directed to be entered on the minutes, to wit: nett amount of sales \$228 30, received and paid to the treasurer, which sum is agreed by this meeting to be apportioned to the several meetings, agreeably to their quotas, for the purpose of establishing a permanent school fund, where there is none, or to be added to such as are already established; and the treasurer is directed to pay the several proportions thereof, to such Friends as are, or may be, appointed as treasurers to such schools." I likewise find entered in the same account book, before named, [Exhibit 51,] under date of 27th of Tenth-month, 1802, the following, viz: "By cash received by order of the Monthly Meeting, \$108 30, being Chesterfield particular meeting's quota of the money arising from the sales of the old meeting house, which was \$228 30." Thus I am satisfied, that not only in Chesterfield Preparative Meeting, but in others, funds have in several instances been first promoted by contributions from superior meetings, and then by voluntary contributions of the members of those meetings where they are established.

Q. Did not the Quarterly Meeting's stock spoken of, arise from the sale of property belonging to that meeting, made by the meeting, and other resources, and was it not appropriated in conformity with the report of a committee made to the meeting on the 28th of Fifth-month, 1792, by you above quoted?

A. It arose from donations, and bequests, and from the sales of the meeting houses spoken of; and I have no doubt but that it was appropriated as directed in the said report.

Q. Does it not appear, that it was so appropriated by the following minute of Chesterfield Monthly Meeting of the 9th of Third-month, 1793, [Exh. No. 31,] "One of the Friends appointed to make a division of the surplus money arising on the Quarterly Meeting's stock belonging to this meeting, reported Chesterfield Preparative Meeting's quota, is £22 18s. 1½d.; Stony Brook Preparative Meeting's quota is £9 1s. 1½d., with which this meeting concurs, and the said Friends who have received the money from the treasurer of the Quarter, are directed to pay it, agreeably to the division, to the Preparative Meetings of Chesterfield and Stony Brook, or such Friend or Friends as they shall appoint, to be applied to the use directed by the minute of the Quarterly Meeting, a copy of which the said Friends produced to this meeting, and report to next meeting."

A. It does so appear by that record.

Q. I perceive by the subscription paper [Exhibit No. 1,] that it is dated on the 27th of Twelfth-month, 1793; does it not appear that that was the first subscription, and that it was made in connexion with, and in conformity to, the recommendation of the Yearly Meeting, as well by the minutes already quoted, as by the following, [from Exhibit No. 32,] in which it appears by minute of the Burlington Quarter, of 24th of Second-month, 1793, that there is "one school within Chesterfield Monthly Meeting, under the care of trustees, but no fund established;" and by the following minute of Chesterfield Monthly Meeting of the 7th of Fifth-month, 1793, to wit: [Exhibit No. 31,] "Chesterfield Preparative

Meeting informs, subscriptions are made for establishing a fund Friends' school at Chesterfield, to the amount of several hundred pounds. Joseph Lawrie and William Abbott, are appointed to receive this meeting's quota from the Quarterly Meeting *for that purpose?*"

A. It does so appear from those minutes last quoted, as well as in the former.

Q. Does it not appear by the following minute of the Quarterly Meeting of Burlington, [Exh. 32.] held on the 27th of Fifth-month, 1793, wit: "The committee on schools are continued, and directed to report in writing at the next Quarter, that so, a regular account of the state of the schools within the same may be transmitted to the ensuing Yearly Meeting," not only that the Quarterly Meeting considered themselves as having a supervision and control over these funds, thus in part contributed by them, but that they held themselves also amenable to the Yearly Meeting for a correct account of the manner in which they had been appropriated under the order of that meeting?

A. I understand the subject thus; those funds having originated in the manner before stated, the Yearly Meeting, and all the subordinate meetings down to the Preparative, were interested in the right application of them, agreeably to the original design of the donor. On this ground it was due the superior meetings from the inferior, to be informed that the funds were applied agreeably to the original design of their institution; and although they were not immediately charged with the trust, they remotely had the supervision of them, and were entitled to be informed of the faithful discharge of the trust on the part of those whom it was confided.

Q. Having this right, would the superior meeting not have the power to interfere, in case the inferior meeting having charge of the funds should apply it contrary to the intention of the original donation?

A. They have the power, there can be no doubt; in case of a misapplication by the trustees and Preparative Meeting, the Monthly Meeting would have a right to call them to account; and so in succession, the Yearly Meeting, in case they neglect their duty in the inferior.

Q. Has that always been the understanding of your society, so far as you know?

A. It has; on general principles.

Q. Did the trustees of that fund direct the treasurer, Joseph Hendrickson, in writing, to institute this suit?

A. Yes, they did.

Q. Was Thomas L. Shotwell, the debtor, a member of your society at that time?

A. No, he was not; neither is he at the present time.

Adjourned until to-morrow morning, 10 o'clock.

Thursday morning, April 7, 1821, 10 o'clock. Examination of Samuel Craft continued. Present as before.

Question by Mr. Stoen. Did the trustees of the school fund settle with the treasurer, Joseph Hendrickson, his account of that fund, as was in First-month, 1823, and have they continued to settle with him annually, ever since?

Answer. Yes, they did at that time; and have continued to do so ever since, annually.

Q. Was not this idea of creating a school fund for each subordi

g originated by the Yearly Meeting, prior to the year 1788, more
 ur years before the subscription was made, which has been ex-
 ; and is there not in Exhibit No. 51, the following minute, under
 the 8th of Fourth-month, 1788, viz: "The committee appointed
 ime past on account of schools, think it may be useful to dissolve
 and reappoint a new one; with which this meeting concurs, and
 ts the following Friends," [naming them] "to endeavour to pro-
 he establishing of schools, agreeably to *the directions of the Yearly*
 3."

hat idea was so originated; and there is such a minute in this

Did not that committee report to the Monthly Meeting on the
 of Eighth-month, 1789, as follows, viz: "we, of the committee
 ted by the Monthly Meeting for the establishing of a school at
 rfield, *agreeably to the directions of the Yearly Meeting*, report, that
 e agreed on a place to build the house on, to wit: south-east of
 eting house, adjoining the corner of the grave-yard; also, have
 d subscriptions for the building said house on that spot to the
 t of 170*l.* 17*s.* 6*d.* and agree to lay the same before the Monthly
 g for their approbation"—and the following minute made by the
 g, to wit: "with which this meeting unites, and empowers them
 eed therein?"

hat committee did so report; and there is the minute on record,
 been quoted.

at the Monthly Meeting held on the second of Eighth-month,
 was not the following minute and entry of a report made, viz:
 ommittee appointed for establishing schools, produced a report in
 , which is as followeth, which the clerk is directed to *send up to*
ing Quarterly Meeting. To the Monthly Meeting, the committee
 ted for the establishment of schools, *agreeably to the directions of*
arly Meeting, reported, there is a house at Chesterfield so far finish-
 t a school might be kept in it; but it is not yet occupied for that
 e, neither is there any such school within this Monthly Meet-

es, there was such minute and entry made.

At the Monthly Meeting held fifteenth of Twelfth-month, 1791,
 t that school opened *under the direction*, and by the order of the
 ly Meeting, and in pursuance of the following minute, viz: "the
 of the committee on schools made in Eighth-month, last, being
 l, and the meeting taking the same into consideration, recom-
 the Preparative Meeting of Chesterfield, *and they are hereby au-*
thorized to open a school in the said house, and appoint a suitable num-
ber of Friends as trustees, to take the care and oversight thereof; and
make rules and regulations for the government and promotion of the
school, which rules and regulations shall always be inspected by the
Yearly Meeting committee for their approbation or disallowance; and said
meeting are likewise authorized to appoint a treasurer, to receive sub-
scriptions and donations for accumulating a fund."

[es. By a minute entered under that date it was.

Does it not appear then that the subscription which has been ex-
 , was made under the *authority and direction* of the Monthly
 g, thus acting under its *Quarter*, in pursuance of the direction
 own to the *Quarter* by the *Yearly Meeting*?

A. Yes, it does.

Q. Is the school-house, spoken of in those reports of the committee the same house in which Friends caused a school to be kept with fund for many years prior to the separation, and which was occupied by them for that purpose, until they were deprived of the use of it by those who have gone off in the secession?

A. Yes, it is the same house spoken of in that report; and Friends many years generally had a school kept therein under their superintendence, and frequently appropriated a part of the proceeds arising from this fund toward paying the teacher's salary, and for the payment of the education of children, contemplated in the original establishment of the fund. And it continued to be so occupied, until the time of separation, and until they were excluded the privilege of the occupation of it.

Q. Was the money loaned to Thomas L. Shotwell, and for the recovery of which this action has been instituted, a part of this fund created, by the direction of the Yearly Meeting to the Quarterly Meetings, and by the order of Chesterfield Monthly Meeting, in obedience to the directions of Burlington Quarterly Meeting?

A. Yes, it was a part of that fund.

Q. Has there ever been any distinction made in that fund, between appropriations made by Burlington Quarter, and Chesterfield Monthly Meeting, and the voluntary donations of individuals?

A. I think there never has been.

Q. Do not the Monthly Meetings exercise a control and authority over the property, generally, of the Preparative Meetings?

A. Yes; they have a general supervision over the property of preparative Meetings, as far as my knowledge extends.

Q. Is there not a minute to that effect to be found in the records which you have just been speaking of, under date of Fifth-month 5th, 1841 and which is as follows, viz: "This meeting, being informed that it remains that one surviving trustee to the title of the lot of land Upper Springfield meeting house stands on, and as that meeting is now a lot of Upper Springfield Monthly Meeting, and they having appointed [names here inserted] as trustees to receive the title of the said lot in behalf of Upper Springfield Monthly Meeting, therefore this meeting directs, and doth hereby empower Amos Wright, the said surviving trustee, to convey the title of said lot of land to the above said trustees Upper Springfield Monthly Meeting, to whom the treasurer of this meeting is directed to deliver up the writings relating to said lot of land to any one of them, and take his receipt therefor."

A. Yes; there is such a minute.

Q. Is there not also, under date of 1st of Twelfth-month, 1841 Exhibit Q is a minute as follows, viz: "A Friend informed this meeting that Eastern Preparative Meeting had intended to erect a meeting house on the ground which the present one stands on; which this meeting opposes?"

A. Yes; there is such a minute under that date.

Q. Is there a minute in the Monthly Meeting record of Chesterfield [Exhibit No. 32] of the Fourth-month 1842, to the following effect: "Stony Brook Preparative Meeting, informed that the surviving trustees in whom is invested the title of the lot of ground on which meeting house at that place stands, are becoming ancient; the meet-

re appointed Joseph Olden," [and others] "trustees, to whom formerly appointed, or the survivors of them, are desired to convey e to said lot of land, and report, when done; Samuel Middleton Benjamin Linton were appointed to draw the deed of conveyance declaration of trust?"

Yes; there is such a minute on the record.

Was not this done at the *expense* of the Monthly Meeting, as well as their authority, as appears by the following minute, made in following month, viz: "Friends appointed to draw a deed of conveyance for the lot of land belonging to Friends at Stony Brook, and declaration of trust for the same, and get them executed, reported, things were accomplished, and that the expense is eighteen shillings which sum the treasurer was desired to pay, and report next meeting;

Yes; it does so appear, and there is such a minute entered on the

Without referring you to any more minutes on the subject, so far as knowledge extends, has it always been the understanding and usage of your society for superior meetings to exercise this super-care over the inferior meetings with respect to their property, as to the administration of the discipline of the society?

As I already have observed, as far as my knowledge extends, there is in this supervisory care over inferior meetings by the superior—either the nature of the case requires it, respecting property, as well as the administration of church government.

Can a Preparative Meeting either be set up, or after having been set up, even change the time of holding its meetings for discipline, without the assent and approbation of the Monthly Meeting?

No; it cannot, consistently with the discipline.

Before a Preparative Meeting can be set up, even with the assent of the Monthly Meeting, is it necessary also to have the approbation of the Quarterly Meeting; and do the following minutes contain a history of the mode by which it is done, viz: "The request from Friends from Trenton for holding a Preparative Meeting at that place, coming again under consideration, and the committee thereto appointed reported in favour of a Preparative Meeting being granted to them, which is as follows, viz: the committee appointed to visit Trenton Meeting respecting the application to have a Preparative Meeting established, all attended the meeting, and had a conference with the members thereof, who still assented to their request; after which we adjourned to the present time, for further deliberation thereon; and now agrees to report in favour of granting a Preparative Meeting granted them, which we nevertheless reported to the Monthly Meeting, 6th of Second-month, 1797;" [signed by the committee.] "The committee took into consideration the time of holding said meeting, and concluded to propose the third Fourth-day of the month; which being read, was, after deliberation, agreed to, and ordered with, by this meeting, to be opened on the third Fourth-day of the month, and held on that day in each month following; which is recorded (the report of the committee excepted,) *to be sent up to the Quarterly Meeting for their approbation,*" as appears by the minutes of Ches-

Monthly Meeting of the 7th of Second-month, 1797, [Exhibit A,] and by the minutes of the succeeding month, as follows, viz: the minute of the Quarterly Meeting being produced, respecting the

establishment of a Preparative Meeting at Trenton, setting forth unity of conference throughout, thereto Benjamin Clark" and "were appointed to attend at the opening thereof, and report to meeting."

A. It is necessary to have the approbation of the Quarterly Meeting, and the minutes just quoted, state the mode which is adopted in establishing Preparative Meetings.

Q. Was this also in some bond under the care and superintendence of the Monthly Meeting, and the accounts reported to, and settled by, and the general care and superintendence of it retained by the Monthly Meeting, and minutes made to that effect by the Monthly Meeting, Second-day of Twelfth month, 1799? Exhibit No. 1.

A. Yes, that was the case, as appears by the minute records of that date, in the said records of the Monthly Meeting; in which it appears, that after the report of the committee referred to, was received, another committee was appointed to pay further aid to the completion of the business, "and generally to have the same care the promotion of schools, as is committed by the Yearly Meeting, and report their proceedings from time to time, to this meeting."

Q. Was Burlington Quarterly Meeting, held in Second month informed that Mount Holly Monthly Meeting had granted a certificate of removal to a person in the station of a minister, who she was the case of a meeting of ministers and elders, for the promulgation of unsound doctrines, and that they had displaced two of their elders contrary to discipline?

A. Yes, that meeting was so informed.

Q. What proceedings were had on that subject?

A. The meeting appointed a committee to attend Mount Holly Monthly Meeting, and inquire whether this representation was correct.

Q. Did Charles Stokes (who has been examined here as a witness) address the meeting on that occasion?

A. Yes: while the subject was under discussion, he did.

Q. Did John Cox reprove him in a "harsh, sarcastic," or improper manner?

A. After Charles Stokes had taken his seat, John Cox rose and made some very pertinent observations, in reference to what had been pressed by Charles Stokes; but not either in a harsh or sarcastic manner.

Q. Did you request him to sit down?

A. No, I did not; neither have I the faintest recollection of any person do so.

Q. Was Charles Stokes appointed on the committee?

A. Yes, he was.

Q. Did he attend Mount Holly Monthly Meeting with you?

A. Yes, he did.

Q. Was he present during your inquiries into the circumstances of the case?

A. Yes, he was.

Q. Did he hear them stated, and remain with you during your deliberations on the subject?

A. Yes, he heard them stated, and remained with us during our deliberations at that time; but did not meet with us afterwards.

Q. What was the complaint against the Mount Holly meeting?

tion to their proceedings towards the elders, and in what were they charged with having departed from the discipline?

A. The complaint appears to have been in substance, that they had granted a certificate for a minister, who was under the care of the Preparative Meeting of ministers and elders, for promulgating unsound doctrines, at the time the certificate was thus granted, and that that meeting, both among the women as well as among the men, were informed of the circumstances of her case, and that it was a violation of discipline thus to act. And with respect to the two elders, it appeared from the minutes of that Monthly Meeting, that they had been placed in a summary way, and the meeting, as a meeting, nor none of its members, stated to the committee that any complaint had previously been made against either of them, either by individuals, or by minute in the Preparative Meeting of discipline, or from the Quarterly meeting of ministers and elders.

Q. Did you find these facts to be so?

A. Yes, on investigation, this appeared to be the case.

Q. Were these proceedings violations of the discipline, and such as require the care of the Quarterly Meeting?

A. Yes, they were.

Q. Did the Monthly Meeting make any satisfaction to the committee of the Quarterly Meeting?

A. No, they did not; neither would they nominate any of their members to meet with the committee, to assign reasons why they had thus refused, although it was repeatedly requested by the committee.

Q. I perceive by the minutes of Fourth-month 8th, 1828, [Exhibit B.] that those who have separated from you, have released yourself and several others from the station of elders of the Monthly Meeting at Chesterfield; was any complaint made against you in the regular order of discipline, and were you treated with by the meeting, on any charge or alleged complaint against you, before you were so released?

A. If there was any complaint preferred against me, I have no knowledge of it; and I am clear that I was never treated with, in any manner, by any individual, on the occasion.

[NOON.]

Q. Was it consistent with the discipline and usages of the society, to release you?

A. No, it was not; but it was an open violation both of the discipline and usages of the society.

Q. Was it such a violation of the discipline and usages of the society, that it would justify the Quarterly Meeting in calling it to account for its departure from discipline?

A. It undoubtedly was.

Q. And if persisted in, after proper care had been extended, would the Quarterly Meeting be justified in laying down the Monthly Meeting as acting?

A. Yes: I have no doubt at all in my mind, that the Quarterly Meeting would be justifiable in so doing.

Result of the proceedings in the Quarterly Meeting,
on the charges mentioned by you as having occurred

presented to the Quarterly

Meeting, in Fifth-month, 1827, the following minute was made on the occasion, viz: "After deliberate consideration, it is the conclusion of this meeting, that the proceedings of Mount Holly Monthly Meeting, in granting a certificate of removal to Maria Imlay, and in displacing Samuel Carr and Esther Brown from their station as elders, are contrary to our discipline, and are therefore void; and the clerk is directed to furnish that meeting with a copy of this minute."

Q. Do you still fill the station of an elder in the Monthly Meeting of which you are a member?

A. Yes: and I have done so for a number of years previous to the separation, as well as ever since.

Q. When was it that those who separated from your society, and professed to hold Chesterfield Monthly Meeting, did release you?

A. It appears by their records, that it was on Fourth-month 8th, 1828. [Exhibit L. 2.]

Q. Had they previously, and in the same way, released some of the overseers of Chesterfield Monthly Meeting from service in their meeting in that capacity?

A. It appears by their records, under date of First-month 8th, 1828, that they released Samuel Bunting, Joseph Hendrickson, George Thorn, George Sherman, David Clark, and Caleb Wright.

Q. What is the object of reading and answering the queries in your meetings for discipline?

A. I think I can explain my ideas of the object of the queries, by quoting one or two of them. The eighth query is in the following words: "Do you take due care regularly to deal with all offenders in the spirit of meekness, without partiality, or unnecessary delay, in order for their help, and where such labour is ineffectual, to place judgment upon them in the authority of truth?" And the fourth annual query is in the following words: "Are the queries addressed to the Quarterly, Monthly, and Preparative Meetings, read and answered therein, as directed?" From the tenor of those queries, together with all the rest, I have understood the design of reading and answering them to be, that in every meeting of discipline where they are thus read and answered, careful inquiry is to be made, whether the meeting in which they are so read, as well as those meetings that report or forward answers to the queries thereto, are faithful in the discharge of their respective duties in the administration of the discipline; and if any defect herein should appear in any inferior meeting, it then becomes the duty of the superior meeting, on being thus informed of that omission, to extend care; and to stimulate the inferior meetings to the performance of their necessary duties.

Q. Were you at the Burlington Quarterly Meeting, held in Eighth-month, 1827?

A. Yes, I was.

Q. Were the answers to the queries withheld from that Quarterly Meeting by the Mount Holly Monthly Meeting?

A. They were withheld from that Quarterly Meeting by the clerk of Mount Holly Monthly Meeting.

Q. Did the person who was acting as clerk of that meeting, to whom you allude, then produce and lay on the clerk's table a paper, and inform the meeting, that the purport of it was to dissolve the connexion between the Mount Holly Monthly Meeting and that Quarterly Meeting, and

that they had attached themselves to Bucks Quarter, or were about to do so?

A. Yes, he did so.

Q. Could any such dissolution take place, without the consent of the Quarterly Meeting first having been obtained?

A. No, there could not, agreeably to the discipline.

Q. Did the person who produced that paper state, that it purported to be an application for that consent, or did he inform the meeting that it contained information of the Monthly Meeting having already exercised that power?

A. He stated nothing like asking for the consent of the Quarterly Meeting; but that they (the Monthly Meeting) had concluded thus to do, and expressed it by way of information.

Q. Does the Quarterly Meeting possess the same authority and controlling power over the Monthly Meeting, which you have already described the Monthly to possess over the Preparative, as well with respect to their property, as to the business of a disciplinary character?

A. I consider there is a distinction. It is generally the duty of the Monthly Meeting to see that the renewals of trusts, and some other matters relative to property be carefully attended to; that but seldom claims the attention of the Quarterly Meeting. But I understand it to be the duty of the Quarterly Meeting, in case of any omission, or neglect of duty, or misapplication of property in inferior meetings, then to extend its care in like manner on that account; and in all cases of a disciplinary nature, I consider the Quarterly Meeting to possess the same power over the Monthly that the Monthly does over the Preparative.

Q. Is it customary for the Monthly Meeting to consult with, or apply to the Quarterly Meeting respecting the erection of meeting houses, or purchase of property for the use of the meeting; as will be found to have been the case with respect to the Mount Holly Monthly Meeting, by a minute of the Quarterly Meeting of the 28th of Eleventh-month, 1774, [Exhibit No. 32,] as follows, viz: "The request from Friends of Mount Holly, mentioned in the report from Burlington, for this meeting to appoint a committee to assist them in fixing on a spot of ground to build a meeting house on, being taken under consideration, the following Friends were appointed to that service." [Names, &c.] Which committee so appointed at the following meeting, reported as follows, viz: "We the committee appointed," &c. "having all met except ———, and heard the sentiments of divers Friends of that meeting, also viewed the several lots by them proposed, and considered the objections to each of them respectively, are unanimously of the opinion, that the lot now belonging to John Brainerd is the most suitable for the occasion?"

A. I believe it has been frequently done in divers cases of a similar nature.

Q. Was there not a paper produced to that Quarterly Meeting, in Eighth-month, 1827, signed by a number of the members of Mount Holly Monthly Meeting, expressing their disapprobation of the violations of discipline committed by that portion of the meeting who had proceeded, as you have stated?

A. Yes, there was such a paper produced to that meeting.

Q. What was done by the Quarterly Meeting in consequence of this state of things?

A. In consequence of these circumstances, that meeting made the fol-

lowing minute, viz: "No representatives appearing on behalf of Mount Holly Monthly Meeting, nor any answers having been received from it to the queries usually replied to at this time, and it appearing from a paper signed by a number of the members of said meeting, that they are not united with its proceedings, it is concluded to appoint a committee to unite with a committee of the women's meeting, if they should name one, to visit Mount Holly Monthly Meeting, to take the subject generally into their solid examination and consideration, and to report—for this service John Cox" [and others] "are appointed."

Q. Were you one of that committee?

A. Yes, I was.

Q. What was done by the committee in pursuance of that appointment?

A. The committee attended Mount Holly Monthly Meeting, in pursuance of their appointment, in conjunction with a committee of women Friends, and presented minutes of their appointment to each of the meetings, (men and women Friends,) and informed the meetings of the purport of the minute. But the clerks of both men and women's meetings, being among those who had thus withdrawn themselves, declined reading the minutes; and they, or some other persons, expressed that they had no connexion with Burlington Quarterly Meeting, and would not acknowledge us as a committee therefrom. And after expressing our decided disapprobation, and individuals of the committee entering a solemn protest against it, we remained silent during their transacting their business, and as they said, in subordination to Bucks Quarter. The committee made report to the next Quarterly Meeting, when the following minute was made in reference thereto, viz: "on considering that part of the report relative to the Preparative Meetings of the Mount, and Vincenttown, it is concluded to leave Mount Holly Monthly Meeting at liberty to join those Preparative Meetings to that of Mount Holly, so as to form but one Preparative Meeting; the clerk is directed to furnish Mount Holly Monthly Meeting with a copy of this minute." This is under date of 27th of Eleventh-month, 1827. In order to explain that minute, it will be necessary for me to quote from the same record, a part of the said report preceding it; which is, after those who had separated had gone through with their business, the following is embraced in the said report: "when they withdrew, after having accomplished their present purposes, the few Friends belonging to Mount Holly Monthly Meeting, who remained faithful to the order of the society, continued in the meeting house with this committee, and after a season of solemn mental retirement of men and women Friends together, they again separated to perform as far as they might be enabled, their respective duties in the Monthly Meeting of Mount Holly, as established by, and subordinate to the Quarterly Meeting of Burlington.

Q. Is the Monthly Meeting alluded to in the *minute* which you have just read, *that* Monthly Meeting of Mount Holly, which continued to acknowledge its subordination to the Quarterly Meeting?

A. Yes, it is the same.

Q. Did yourself and the others upon that committee, report against the proceedings of that portion of the members who had pretended to hold a Monthly Meeting as they said, subordinate to a Quarterly Meet-

in Bucks county, as being in violation of the discipline, and did the arterly Meeting concur in that report?

A. Yes, we did so report, and the Quarterly Meeting concurred there-

Q. Was the Quarterly Meeting held at Chesterfield, in Eleventh-month, 1827, regularly opened by the clerk, and the names of the representatives called over, and a minute made by him as usual?

A. The meeting was opened, and the representatives called as usual, will appear by the following minute, viz: "at Burlington Quarterly Meeting, held at Chesterfield, the 27th of Eleventh-month, 1827, the representatives being called, were all present except one, for whose absence a reason was assigned."

Q. Was information then given to the meeting, that there were those sent, who were not entitled to sit in meetings for discipline of the Society?

A. Yes, there was such information then given to the meeting.

Q. Was the persons alluded to, requested to withdraw?

A. Yes, there was a request made for the individuals alluded to, to withdraw.

Q. Did they do so?

A. No, they did not.

Q. Was any proposition made to adjourn the meeting, until after they declined to withdraw, and it was found that the meeting could not select if it continued in session?

A. No: there was no such proposition made until that was ascertain-

Q. When the conclusion to adjourn was come to, was information of the result communicated to the women's meeting, and concurred in by them?

A. Yes, it was.

Q. Was there any minute made on the occasion?

A. Yes, there was a minute made on the occasion in the following words: (reads from Exhibit No. 32,) "It being ascertained that several persons are present who have been disowned by the Monthly Meetings which they respectively belonged, or are at present under dealing in with, who after being affectionately requested to withdraw, refuse to do so, it is concluded in conformity with our established practice of not transacting our business, when such are known to be present, to adjourn the meeting to meet in Burlington, on Sixth-day next, at 10 o'clock in the evening; then adjourned accordingly."

Q. Did the meeting assemble, pursuant to that adjournment, and transact its business?

A. It did meet pursuant to that adjournment, and the following minute was made on the occasion, "at Burlington the 30th of Eleventh-month, 1827, the meeting again assembled, pursuant to adjournment." And after the meeting was thus opened, it proceeded to transact its business as usual.

Q. Has it continued to do so ever since?

A. Yes, it has.

ation to and as a branch of the Yearly Meeting of the Friends of the street. Philadelphia, on the third Second-day of

Q. Had Chesterfield Monthly Meeting a patient at the asylum, at the time of the separation?

A. Yes.

Q. Who was the agent for the asylum at the time of the separation?

A. Samuel Middleton was agent on behalf of Chesterfield Monthly Meeting, until Tenth-month, 1827. He then was released, having been our Monthly Meeting in the preceding month, requested to be released from that service.

Q. Who was then appointed to succeed him?

A. Samuel Bunting.

Q. Is he still the agent for the meeting, of which you are a member?

A. Yes, he is.

Q. Is it the duty of the agent to extend a care over the patient, and to pay the expenses incurred at the asylum?

A. Yes; I understand that to be his duty.

Q. Has the Monthly Meeting, of which you are a member, paid the expenses of that patient, ever since the separation?

A. Yes, they have paid the expense of that patient ever since; but she has not been all that time at the asylum.

Q. Was there a new roof put upon the meeting house, a short time before the separation?

A. Yes, there was.

Q. Was the carpenter work paid for before the separation?

A. Not all of it.

Q. Has it been paid for since, by the treasurer of your meeting?

A. Yes, it has been paid for by George Thorn, treasurer of our Monthly Meeting.

Q. Is that the meeting house which those who have separated from you hold their assemblages in, and to which they claim title by majorities?

A. It is the same meeting house that they hold their assemblages in; but on what ground they claim title to it, I cannot tell.

The counsel for Joseph Hendrickson rests the examination in chief; and the testimony was, as usual, read over to the witness.

Adjourned until 10 o'clock to-morrow morning.

Friday morning, April 8th, 1831, at 10 o'clock. Present as before. And the said Samuel Craft being cross-examined on the part of the complainant and Stacy Decow, further saith:

Question by Mr. Price. Was the balance paid to the carpenter for roofing Chesterfield meeting house, paid out of the fund jointly raised before the separation, for that purpose?

A. If that was the case, I have no knowledge of the fact, and I should not suppose it likely to be so; as Jediah Middleton was treasurer to the Monthly Meeting, and would of course receive the monies from the several Preparative Meetings.

Q. Do you mean to say that the fund out of which it was paid was exclusively raised by you, after the separation?

A. I mean to say nothing further than I have already said, that the money was paid; and if it was not raised by Friends, I have no knowledge of the fact.

Q. Have you any knowledge of the fact that it was paid by those you call Friends?

A. I have said all I have to say on the subject—I have already said, I think, in substance, that I had no knowledge whether it was, or was not, exclusively raised by Friends.

Q. Were the persons whose presence you objected to in Burlington Quarterly Meeting, in Eleventh-month, 1827, such as, and whom you considered under care, or disowned by their Monthly Meetings, treated in for causes connected with the general separation in the society?

A. It was not stated to the Quarterly Meeting, for what offences they had been thus treated with.

Q. Have you no conception of what the nature of them was?

A. Yes, I apprehend that from general repute I have. It was generally understood that those persons had been members of Green street Monthly Meeting, and had refused to submit to the judgment of the Quarterly Meeting in laying that meeting down; and perhaps there were other things connected with it.

Q. About what proportion of the members of Mount Holly Monthly Meeting continued their connexion with what you consider Burlington Quarterly Meeting?

A. As I never took any enumeration I cannot state with any degree of precision; but I suppose there were less in number of those that remained attached to that meeting, than of those that withdrew from the society, and attached themselves to Bucks Quarter. I cannot give any proportion, more than by conjecture.

Q. Were they very considerably the lesser number?

A. From the knowledge I have of the numbers, I believe those that were then in attendance, that remained attached to Burlington Quarterly Meeting, were considerably the lesser number: but embracing the whole of the members belonging to that Monthly Meeting, I believe they were not so.

Q. What number signed the paper against being joined to Bucks Quarter?

A. I do not remember—I should be inclined to think something like twenty persons, men and women, and those were such as had generally taken an active part in the transaction of business in that meeting. I think there were nine or ten elders in that meeting; and I believe all except one, signed that report.

Q. Have those who remained attached to your Quarterly Meeting been laid down as a Monthly Meeting?

A. Those who remained attached to our Quarterly Meeting, sustained our Monthly Meeting for some considerable length of time after the separation; but feeling the responsibility and weight of the faithful discharge of the duties of a Monthly Meeting, and the due administration of the discipline, they proposed for consideration their being attached to Burlington Monthly Meeting, which was united with, and they were accordingly so connected.

Q. If an elder or overseer removes away from his meeting, does he cease to hold his office in that meeting?

A. Yes, he does.

Q. Would the meeting be at liberty then to supply his place by a new appointment?

A. Doubtless, if they judged it necessary, they would.

Q. Would the discipline point out any regular order for treating with a seceder, in order to release him from his appointment?

A. The discipline points out the mode in which all the members be treated with, in cases of uneasiness on any occasion, without specifying into the particulars. And as ministers and elders, stations and faithful discharge of duties, are considered to nearly the welfare of society, they are placed, comparatively speaking, a double watch; in the first place by the discipline under the head, ministers and elders, page 68, we find the following: "And if any acknowledged member of our meetings of ministers and elders, shall at any time be thought by negligence, unfaithfulness, or otherwise, to have been neglectful of his or her service in that station, so as to become the subject of uneasiness and burthensome, yet not so as to be under the care of a meeting discipline on that account, or for misconduct, it is advised that a kind and tender care be extended to such person, according to gospel order &c. And under the head of overseers, page 79, is the following: "It is recommended that in every Monthly Meeting, a proper number of faithful and judicious men and women, belonging to each of the particular Preparative Meetings, be appointed to the station of overseers with the same; whose duty it is to exercise a vigilant tender care over their members, that if any thing repugnant to the harmony and good order of the society, appears among them, it may be timely attended to, and not neglected; and to prevent the introduction of all unnecessary and premature complaints to meetings of business, it is advised, if any member shall have cause of complaint against another, that it be mentioned to the overseers, who are to see that the party complained of has been treated with according to gospel order, previous to the case being reported to the Preparative or Monthly Meeting." From those portions of the discipline, together with all the rest on these subjects, I am satisfied that it is a departure from the discipline to impeach any member, either minister, elder, or other member in a Monthly Meeting, to introduce their names there under any circumstance whatever, if they have first been treated with, either in one or the other of those modes prescribed in the discipline, that I have just quoted.

Q. Does not the discipline last quoted, relate to offences which result in disownments from membership?

A. I do not discover any discrimination or distinction.

Q. Does it say any thing about the mode of treatment to be used towards an elder or overseer, in respect to a releasement from his appointment?

A. It does not specifically; but we could not imagine that a meeting would wish to release faithful and judicious elders or overseers; if they were not such, then they would come within the operation of one or the other of those paragraphs of the discipline.

Q. If their inability arose from causes that could not involve their liability to disownment, such as the infirmity of years, would they be treated with, under the clause of discipline last quoted by you?

A. They would not be treated under any discipline whatever; there are no impossibilities required.

Q. Is the care to be exercised by the meetings of ministers and elders to consist in spiritual advice and admonition, alone?

A. It is to be extended under a qualification, that it is desired that source that will enable their fellow members to treat with according to gospel order; and after this has been done by individuals in that way, it then becomes a more general and public concern, (

of officers, and claims care and attention in the Preparative Meeting of ministers and elders, and if the desired effect is not there obtained, it is a subject for the care of the Quarterly Meeting of ministers and elders, and if the subject cannot be removed and is satisfactory, it is then transmitted to the Monthly Meeting, if the individual is a member, and they then cease to be of the meeting, or minister or elder, until they are appointed, or elected, as other individuals are.

A meeting of ministers and elders does not then undertake to discipline an offender against the discipline, but merely to counsel, advise and labour.

There are various stages of departure, from the path of rectitude, but it is difficult for me to define, so as for the counsel clearly and my views, but I understand that there are many deviations do not comport with the standing of a minister or elder, that is the duty of their fellow members of that department in so far as they are toward them on a point of yet when they become very serious, and make common to public view, it then becomes the *business* and *duty* of overseers to interfere, and proceed to discipline, and should I think proper, I would have the care of the select members previous to this more, public view, for an order, and the overseers had taken up this or other offence, then the select meeting would suspend further course on them. I consider in degree, that whenever an individual's name is brought into view, either in a select meeting, or meeting of discipline, is a church censure on his conduct.

I hold not that it is in a degree, to presume the want of innocence, and to hasten the trial.

Consider not, for they would have been previously laboured with. A meeting of ministers and elders does not then undertake to discipline, but after it finds its labours unavailing, they then claim the attention of a meeting of discipline.

Consider that that meeting in the discharge of its duties, I include Preparative Meeting and Quarterly Meeting of ministers and elders, their care and labour towards any individual, may be compared, as to the overseers in a Preparative Meeting of discipline, in discharge their duties faithfully as far as their power goes, the case is to be transmitted to the Monthly Meeting, since that meeting does not assume to draw an individual, neither prepare Meeting.

Consider the labours of the meeting of ministers and elders, as well as the overseers, before the case is brought to the Monthly Meeting, the nature, and not under the name of a Monthly Meeting.

Consider the labours of the overseers, as well as of the select, in the first stages of the business, to be of a private nature, but become of a public character before it can, consistently with discipline, be transmitted to the Monthly Meeting. It must be introduced of itself to a meeting, or be known by the name of a meeting, and it must be by the direction of each meeting, as to the nature, that the case is forwarded to the Monthly Meeting.

The proceedings of the meeting of ministers and elders, and overseers, are known to the Monthly Meeting before they have to meet.

ed, and been regularly transmitted to the attention of the Monthly Meeting for disciplinary proceedings:

A. Not in any ordinary case, they would not be.

Q. When a member moves from one Monthly Meeting to another, is it the province of the Monthly Meeting to grant a certificate of membership, of his right of membership?

A. In all cases, consistent with the discipline, there may be made before the certificate can be granted, and if there is no objection found on inquiry, it is then the duty of the Monthly Meeting to grant such certificate.

Q. By the discipline, is it the province of a Monthly Meeting to judge whether there is or is not obstruction to the granting of a certificate of removal?

A. Yes: if they should err in judgment, and grant one in opposition and contrary to the express provisions of the discipline, it will become the duty of the Quarterly Meeting to inquire why they do so; for the Monthly Meeting is to administer the discipline, and to be governed by it.

Q. Is a Monthly Meeting to whom a certificate of removal is sent by another Monthly Meeting, bound to accept such certificate?

A. Not under all circumstances.

Q. The Monthly Meeting to whom the certificate is directed, has the right to judge whether it will admit a person coming with a certificate into its bosom or not?

A. Not without limit. It is to be governed by the discipline. If a certificate should be presented to a Monthly Meeting, and it should be found that that individual does not reside within the limits of such meeting, it is not bound to receive such certificate; and it is to inform the meeting that granted it, of the circumstances of the case.

Q. Suppose he does reside within the limits of the Monthly Meeting, and regularly presents the certificate for acceptance?

A. If that certificate has been granted by a Monthly Meeting held in conformity with the discipline of the society, I have no doubt that the meeting would receive him; but if it was granted by one which was not thus held, it could not consistently be received.

Q. Do you then consider, that one Monthly Meeting has the right to judge whether the proceedings of another have been in conformity with the discipline of the society?

A. By no means. The Quarterly Meeting of which such Monthly Meeting is a component part, is to be the judge in that case; no other Monthly Meeting has a right to place itself in the seat of judgment, to determine whether the Quarterly Meeting has judged or not.

Q. You say that the certificate could not be consistently received by the meeting granting it was not held in the order of the society. — If a Monthly Meeting, then, refuses to receive the certificate, does it assume to judge whether the meeting granting it had been held in the order of the society?

A. By no means. The Quarterly Meeting must determine that; we don't take upon ourselves that responsibility.

Q. Does it not appear, from the records of Chesterfield Monthly Meeting, under date of Sixth month 7th, 1811, that "a letter was received from the Monthly Meeting of Philadelphia, enclosing the certificate of removal which was granted to ——— by this meeting?"

ond-month last, the consideration of which is referred to the next g;" and at the next meeting was not the certificate accepted back although the individual resided in Philadelphia, and was not inable by the society?

It does so appear on those records; and it was an unusual occurrence but there were some peculiar circumstances attached to that case, induced one Monthly Meeting to return it, and the other to receive it. But I believe it could not have been insisted on by the meeting which it was directed, had it not been assented to by the meeting which wanted it.

What way could the individual have been forced on the meeting in the certificate was directed?

Do not imagine that the meeting would have required any force to comply with the common usages of the society.

Has it then been the practice of the society for the meetings, as individuals, to act together, in condescension one to another, so that their business should be conducted in harmony, without the use of

force? It has been the general practice of society; but never to let our condescension carry us to that extent as to admit of the laying waste of the discipline of the society.

In the case last quoted, did not the Philadelphia Monthly Meeting, undertake to judge the proceedings of your Monthly Meeting, in returning the certificate?

Do not remember the contents of the information accompanying the certificate on its return: it is evident they went thus far, to conclude that they had rather not receive the individual as a member of the Monthly Meeting, than to receive him; but I do not apprehend they came to any conclusion, but that if we insisted on it, they would receive him.

Did you meet with those whom it appears from the minute extracted by you yesterday, at the time when it purports to release you from the station of an elder in Chesterfield Monthly Meeting, or did you meet separately from that body?

I did not meet at the meeting house at that time, with those who were engaged in preparing that minute; but I met regularly every month, as usual, at the stated periods of holding Chesterfield Monthly Meeting, with those who adhered to the discipline; and we continued to transact the business of that meeting at that time, and have done so ever since. Were you in unity with that meeting that made such minute of release?

No, I was not; nor never held any appointment made in that minute; therefore, it was useless to make such minute of releasement. What ground of complaint, then, had you against that meeting, in being treated with before you were released, in *the regular order* of discipline, which, I believe, is the language of a question addressed on that subject?

What I said on that occasion, was in answer to a question from myself on the other side, and was not designed as a *complaint* against them for undertaking to do what they had not the power to do. Does not one of the queries to be answered by the ministers and elders require that they should be "in unity with the meeting they are to?"

A. Yes, it undoubtedly does; but it says nothing about meetings they don't belong to.

Q. What discipline does it violate for a Monthly Meeting to grant a certificate of removal to a Friend, against whom there is no charge at any meeting for discipline?

A. I consider, if on inquiry by a committee appointed for that purpose, no objections are found, although there may be no charge in meeting's minutes against the individual, the granting a certificate to a person thus circumstanced, would be a violation of the following paragraph: "When a Monthly Meeting is engaged to prepare a certificate on account of the removal of any Friend, to reside within the limits of another Monthly Meeting, careful inquiry shall be made by a committee appointed for that purpose, respecting the situation of his or her temporal affairs; and also, if single, concerning their situation in relation to marriage engagements; and if, on such inquiry, *no impediment be found*, the certificate should state, that, on inquiry, *no objection appeared*, relative to his or her outward affairs, to the granting the certificate."

Q. Though the Yearly and Quarterly Meetings recommend the establishment of schools to diffuse the benefits of education, are the Monthly and Preparative Meetings chiefly instrumental in carrying such recommendation into effect?

A. If the Monthly and Preparative Meetings had not united in the work, the recommendations of those superior meetings would not have been carried into effect. And when they thus united in the cause, it became their proper sphere of action to perform the most active part in carrying on the work so begun.

Q. Do not inferior meetings recommend matters up to the consideration of superior meetings for a more general consent and co-operation, as well as superior ones down to the inferior?

A. Yes—that frequently occurs in the course of the transaction of business of meetings for discipline, but there is a distinction in such recommendations when the nature of the case requires it, the superior meeting can enjoin the observance of it on the inferior, but the inferior meeting has not that power over the superior.

Q. Would that be exercised by advice and patient labour?

A. It would depend on the nature of the case; such a rare would be extended, as appeared consistent with the discipline and good of the society.

Q. Is there any query periodically read in the meetings, to call for notice and supervision of superior meetings matters of property, and is in respect to disciplinary concerns?

A. There is something contained in the book of discipline, previously subjoined to the queries, which is obligatory on Preparative and Monthly Meetings, to read at stated times, viz: "That all public gifts and legacies be strictly applied to the uses intended by the donors; and if unforeseen occurrence should render such compliance difficult or impracticable, that an early application be made to the Meeting for offerings for its advice or assistance; and that timely care be taken for the renewal of trusts."

[NOON.]

The witness proceeds in his answer. I would wish further to

page 53 of the book of discipline, under the head of "meeting" as follows: "It is recommended to Quarterly and Monthly Meetings, to make timely and careful inspection into the situation of the meeting houses," &c. to the end of the section under that head. I would also refer to the third section of discipline, under the head of "Meeting for Sufferings," page 56: "To inspect and explain the land, or other estate belonging to any of our meetings; also the legacies and donations; and to give such advice respecting the same as may appear to be necessary."

Did I understand you yesterday to say, that the Yearly Meeting did not intend to give any money towards the Chesterfield Preparative Meeting school?

It did not intend to be so understood—I certainly did not mean to

show how the stocks of Monthly, Quarterly and Yearly Meetings are raised?

I expect there is some difference in the mode, but most generally voluntary contribution; there are exceptions to this, or at least at Burdett's Quarterly Meeting, the standing stock of that meeting was raised wholly by devises by will.

Are the payments or gifts to the meetings of the society always voluntary, or is there any compulsive assessment?

It may be considered in one sense voluntary always, but not in another sense—because each subordinate meeting has a certain quota apportioned to it, which it is considered responsible for; the meetings who are collecting monies for any purposes of a superior meeting, mostly receive voluntary contributions from individuals; but that is not the case in all meetings that I am acquainted with. Some appoint committees to apportion the amount required, and the members of that meeting, having united with this measure, feel themselves bound to pay their proportion.

When any individual is called upon to contribute to that apportionment, can he be in any way compelled to pay, if he does not choose to?

I have never known a case wherein there was any necessity for compulsory measures; but in case of such refusal, I apprehend that the members of that meeting would sooner pay such individual's proportion than to resort to compulsory measures with him, but it would only place him in the situation of a very unworthy member.

When they do contribute, does each pay what he thinks his circumstances will conveniently admit of?

It would be difficult for me to say on what principles each individual contributed; but it is generally understood, that all consistent members will be willing to contribute in proportion to their circumstances.

Would it be under a penalty of being considered an unworthy member, if a meeting were to decline paying the quota or contribution apportioned?

Yes, I apprehend it would; it would be a mark of insubordination. If I understand you, individuals have not particular quotas assessed upon them, as meetings have?

Not in the general—I stated that there is a difference in different meetings.

Q. In the division of the Burlington Quarterly Meeting surplus was regard had to the quotas or apportionments in which the meetings usually contributed to the stock of the superior meeting?

A. Yes, I understand that to have been the case.

Q. Other Preparative Meetings then than Chesterfield obtained proportionate share?

A. I believe that was the case.

Q. Has Chesterfield Preparative Meeting always been in the practice of appointing the treasurer and trustees to manage the school fund?

A. I understand that to be the business of that Preparative Meeting.

Q. Have these trustees reported to that Preparative Meeting?

A. I believe it has been the practice generally, for them to report annually to that meeting.

Q. Has the Monthly or any other meeting appointed trustees for the same purpose, or have the trustees of that fund been in the practice of reporting to any other meeting than the Preparative Meeting?

A. Of latter time the report has been made, I believe, generally to the Preparative Meeting only; but at an earlier period of that establishment, the trustees of the Preparative Meeting and committee of subject of schools appointed by the Monthly Meeting, often came together, and report was made to the Monthly Meeting, as often required.

Q. That is, the Monthly Meeting's committee reported the state of that school, together with that of other Preparative Meetings?

A. If there were other schools at the time, there would be a report embracing all the schools within the Monthly Meeting, and that would thus be laid before the Monthly Meeting.

Q. The Monthly Meeting's committee then, I suppose, would undertake to manage the *pecuniary* concerns of the school?

A. No; they would not, while the Preparative Meeting and its trustees discharged their duties consistent with the design of the institution.

Q. If I have understood your views, you consider the children of whom you call separatists as still your members?

A. Those that are minors we do.

Q. You of course then consider them as proper objects to be benefitted by this school fund, in respect to their education?

A. If their parents were indigent, no doubt they would be entitled to have the expense of their schooling paid out of the proceeds of this fund; for that was the first object of the institution.

Q. So far as such should be educated out of this fund, it would be a misapplication of the trust?

A. I do not apprehend it would.

Q. Have those who are in possession of the school-house, ever been to any of your children entitled to it, the benefit of education out of the fund?

A. I don't apprehend that there has ever been any application to them to know what they would do; for we do not consider that they have control or superintendence in the concern consistent with the design of the establishment, therefore there would be an impropriety in applying to them, to know what they would do.

Q. When an individual is disowned and appeals, can the Quarterly Meeting do otherwise than affirm, or disaffirm the judgment of the Monthly Meeting?

The superior meeting generally does one or the other.

If a Quarterly Meeting does not affirm the judgment of disownment of a Monthly Meeting, does the individual stand in full membership?

On the Monthly Meeting's receiving such information from the Quarterly Meeting, the individual is again considered a member.

If I understand your practice, or the practice of your society, you send back a case when the judgment of a Monthly Meeting has been reversed for *a new trial*, (as we should say in court?)

The discipline says, they shall either *confirm* or *reverse*, and it there without recommending that.

As Burlington Quarterly Meeting undertook to set Chesterfield Monthly Meeting right in some errors of inadvertency, or for want of action, I would ask if that Quarter itself was in exact accordance with the discipline, and the usage of the society, when it agreed to a committee on an appeal which says, "that we do not think it proper to confirm the said judgment," (the judgment of the Monthly Meeting,) "and we are united in proposing that the case be resumed in the next Preparative Meeting whence it came, and weightily proceeded in?" [Chesterfield Monthly Meeting Records, 7th of Fourth-month, 1812.]

That report is couched in language that is rather uncommon on such occasions; and to say that it was in strict accordance with the discipline, I am not prepared to do: it was a proposition to the subordinate meeting, and not an injunction.

Are not the directions of superior meetings usually in similar language of recommendation that is used in this case?

The mode of expression frequently varies, according to the circumstances of the case.

Did the Preparative Meeting whence the case came, resume and weightily proceed in it?

I am not perfectly clear whether the Preparative ever took the case up; but I am satisfied the Monthly Meeting never acted upon it.

Did not the case come from the Preparative Meeting to which you refer?

Yes.

You did not then see occasion to follow the recommendation of the Quarterly Meeting in that case?

I cannot say positively whether we resumed it or not.

Does Thomas L. Shotwell claim this mortgage money as his own, and sold it for what he considers Chesterfield Preparative Meeting?

I never conversed with Thomas L. Shotwell on the subject, and cannot undertake to say on what ground he thus acts.

Have you not reason to believe that he is but a stakeholder, or a nominal party, while the real claimants are the two bodies, respectively belonging to be Chesterfield Preparative Meeting?

I have not been in the practice of hazarding an opinion without foundation; and as I observed before, I have not conversed with Thomas L. Shotwell; but if the counsel wishes my opinion, after stating this much, I will endeavour to give it.

Counsel. I do.

Witness. I observe, in the course of this examination, on the records of the Monthly Meeting, contained in a book purporting to be Chesterfield Monthly Meeting, undated, if I am not mistaken, of First-month, 1828, the very day, I

think, that we were under the necessity of withdrawing from our house in order to transact the concerns of society, agreeably to do that Thomas L. Shetwell presented to that body of persons that re in the meeting house, a paper of acknowledgment, and on the of the succeeding meeting it farther appears, that he was acknowledged a member among them, therefore I cannot suppose that he stands an interested character.

Q. Do you suppose that he claims the money as his private property for the meeting to which he belongs?

A. I should think it most reasonable to conclude that he claims the meeting to which he belongs.

Q. Have you attended this examination very constantly since its commencement, advising and assisting therein?

A. I have been here pretty constantly during the examination, and have rendered such services as I thought becoming my station.

And the said Samuel Craft being re-examined in chief on the the said Joseph Hendrickson, further saith:

Question by Mr. Sloan. After you were compelled to withdraw from the meeting, in First-month, 1828, did you afterwards attend the same house for the purpose of holding your meeting, and were permitted to do so?

A. At the stated time of holding the Preparative Meeting of members and elders, in Fifth-month, 1828, some of the members went to the meeting house for the purpose of holding that meeting therein; but the house was shut; and I tried to open each of the out doors myself, and found them fast; and therefore we went to another place in the village of Wicks, and held the meeting.

Q. In answer to a question in your cross-examination, as to so far as this fund should be applied to the education of the children of indigent parents, who had gone off in the separation, if it be a misapplication of the trust, you have said, that you do not apprehend it would; do you mean to say, that it would be no misapplication of those funds if so appropriated, by those whom you consider separated from the society, or that such children would be entitled to the benefits of it upon proper application to the trustees appointed in the regular order of society?

A. I meant to be understood, and supposed I had used language which would convey clearly, that all appropriations of that money belonging to the fund, must be made by trustees regularly appointed by the Field Preparative Meeting of Friends, and that those who have separated have no control whatever over it; and further this affirmant said:

Affirmed and subscribed as aforesaid, at the house of William Lloyd, in Camden, in the county of Gloucester, this eighth day of August, eighteen hundred and thirty-one.

Before me,

SAMUEL CRAFT

J. J. P. 31

Master and Examiners

Sworn THOMAS EVANS, the other witness named in the said order of the court, being recalled, on the part of the said Joseph Hendrickson, alleging himself to be conscientiously scrupulous of taking an oath, being duly affirmed according to law, on his solemn affirmation,

Question by Mr. Sloan. Have you had free access to, and in

researches in the records of various meetings of the Society of Friends, and more especially of the Yearly Meeting?

I have had access to the records of a number of the meetings of the Religious Society of Friends; more particularly since I was under obligation before in this cause; and have made considerable research into their contents.

Can you state when, and by what meetings representatives were sent to the Yearly Meeting of Friends of Philadelphia?

The first representatives that attended that meeting, from its constituent meetings, attended in the year 1687, in pursuance of the written resolutions of that meeting, issued in the preceding year, 1686, as follows: Resolved that two Friends or more be appointed out of every Quarterly Meeting, that are capable to give an account of the affairs of truth, and send this general Yearly Meeting, to be held from time to time until the next meeting shall be ended." From that period up to the present representatives appear to have been regularly appointed by the five Quarterly Meetings, and to have attended the Yearly Meeting accordingly.

Do you quote from an extract made from the Yearly Meeting minutes and compared by you?

I made the extract myself, and carefully compared it with the original record.

Price objects to copies from minutes being here proved and given in evidence, while the books containing such minutes are in the possession of the opposite party, and not produced here in obedience to the injunction which have been served upon them so to do.

From a careful examination of those records, were you enabled to find an instance in which representatives have been sent to that Yearly Meeting by a Monthly Meeting?

From a careful examination of the minutes of each year, it appears there has been no instance, in which representatives have been sent to the Yearly Meeting by the appointment of a Monthly Meeting. They have always been appointed by the Quarterly Meetings or meetings of a higher grade.

Is there any record to be found authorizing any such change in its constitution?

There is none.

Is that Yearly Meeting in possession of the records of its annual sessions from its organization to the present time?

Yes, with the exception, I think, of the year 1693, part of the records of which appear to have been mislaid.

Has the Yearly Meeting of Friends, of Philadelphia, maintained a regular and constant correspondence with that in London?

Yes, it has so, ever since its establishment; and the epistle to London is regularly copied on the minutes, from the year 1695 to the present time.

In what year does the Yearly Meeting appear to have been established?

In the year 1685.

When the time or place of holding the Yearly Meeting has been changed, has it always been done by the meeting itself, while sitting, and regularly entered on its minutes?

Yes, that has always been the case. The Yearly Meeting as originally constituted.

nally established, convened in Seventh-month, old style, in the year 1751; the Yearly Meeting of London, by its epistle received last year, requested the Yearly Meeting of Philadelphia, to adopt a new computation of time, agreeably to an act of parliament then recently passed: it accordingly did so; and the concluding minute of that Yearly Meeting is in these words, (the witness reads from a manuscript,) "business being ended, the meeting adjourned to Burlington on the 24th day of Ninth-month; in the next year, according to the new method of computing time, which will be on the second First-day of the week, in the month by law, called September." In the year 1755, a change was made of the house, in which the meeting convened at Philadelphia, as appears by the following minutes; "at a Yearly Meeting held in Philadelphia for Pennsylvania, New Jersey, &c. by adjournments, from the 20th day of Ninth-month, to the 26th day of the same inclusive, 1755. Began business on the 22nd, being the Second-day of the week, in the afternoon, in the great meeting house;" the afternoon being spent in the reading of some epistles and other business, the meeting adjourned by the following minute, "after which the meeting adjourns to meet at Pine street meeting house, at 10 o'clock on Fourth-day morning." In the year 1757, the time at which the meeting was to convene was changed, as appears by the following minute: "it is agreed, that the Yearly Meeting next year, be held on the fourth First-day of the week, in Ninth-month; and that at that meeting it be considered, whether the increasing number of our youth, of whom many are serviceable members of society, with other circumstances, do not render it necessary to hold the Yearly Meeting constantly at Philadelphia." Previous to the year 1760, the Yearly Meeting had been held alternately at Burlington and Philadelphia; but the propriety of holding it altogether at the city of Philadelphia, having several times engaged the attention of the Yearly Meeting, the following minute was made in the year 1760, viz: "the consideration of the properest place for holding our Yearly Meetings of business in future, now coming under the solid notice and thought of this meeting, and much time being spent thereon, and full opportunity given for a free communication of Friends' sentiments, and the calming influences of gospel love being over us, it appears to be the most general sense, that as Philadelphia is the nearest central for the body of the society, it is, therefore, the most convenient for that purpose. In humble thankfulness for the continued renewings of heavenly favour, through the several sittings of this large and solemn meeting, the meeting adjourns to the fourth First-day in Ninth-month next, then to meet at Philadelphia, if the Lord permit." In conformity with this adjournment, the meeting accordingly assembled in Philadelphia the ensuing year, at the Pine street meeting house, and continued to meet at that house until the year 1797. At the first sitting of the Yearly Meeting that year, an adjournment was made to the north meeting house, in consequence of the prevalence of a contagious disease, in the vicinity of that of Pine street; the following minute being made at the close of the sitting on Second-day morning. "The representatives being desired to stay together to choose a Friend to serve the meeting as clerk, adjourned to meet at half past three o'clock in the south apartment of the north meeting house." At the concluding sitting of the Yearly Meeting that year, it was agreed to convene the ensuing year, at the Pine street meeting house; when the following minute was made: "29th of the month, and sixth of

the week; feeling our minds clothed with fervent charity, we desire that the same deep searchings of heart which have been excited among us, may take place among our absent members, that the travail of the church may be generally circulated throughout our borders; under a sense of divine regard, the meeting adjourns to the usual time next year, to meet at our meeting house in Pine street, if the Lord permit." Notwithstanding the great sickness and mortality which prevailed in the city during the ensuing autumn, the Yearly Meeting did accordingly convene at the time and place adjourned to. Representatives from all the Quarterly Meetings except one, attended; the meeting was regularly opened, and an adjournment made to Twelfth-month following.

Adjourned until 10 o'clock to-morrow morning.

Saturday morning, 9th April, at 10 o'clock. Examination of Thomas Evans continued. Present as before.

[The witness proceeds.]—At this adjourned meeting, a proposal to change the time of year at which the meeting assembled, was taken under consideration, and referred to a committee appointed out of the respective Quarterly Meetings. That committee reported in favour of meeting thereafter, on the third Second-day in Fourth-month in each year, which report was adopted by the meeting, and at the concluding sitting, the following minute was made, "Seventh-day of the week and 1st of the month, a renewal of right ability to travail in and conduct the various concerns which have come before us, being graciously vouchsafed through the several sittings of this meeting, uniting the truly baptized members of the church in the bond of pure gospel fellowship, under comforting evidence, and thankful acknowledgment that our heavenly Father has been thus mindful of us, the meeting adjourns to meet again on the third Second-day of the week, in Fourth-month next, if consistent with the divine will so to permit." The Yearly Meeting accordingly assembled at the time adjourned to, and has continued to meet at that time in each year ever since. Its sittings were held in the Pine street meeting house, until the year 1802: and at the close of the sitting on Second-day afternoon, that year, the following minute was made: "the meeting adjourned to meet at the north meeting house, at the ninth hour to-morrow morning:" it continued to meet in that house until the year 1811. At the sitting on Second-day afternoon, in that year, it adjourned to the Arch, or Mulberry street meeting house, by the following minute: "adjourned to the ninth hour to-morrow morning, to the east end of the meeting house on Mulberry street," where it has been regularly held from that time to the present.

Q. You find then a regular continuance of that meeting, entered on the minutes from the time of its establishment to the present time?

A. Yes, I do so.

Q. Was the Second-day morning meeting of Philadelphia regularly established in the order of society?

A. Yes, it was. By minutes of the Yearly and general spring meeting, held the 21st day of Seventh-month, 1701, that meeting appears to have been instituted agreeably to the following minute: "Agreed, that there be a meeting of ministering Friends, men and women, to be held in Philadelphia, weekly, on Seventh-day about noon; and quarterly in the respective counties, at such time and place as Friends, immediately concerned, may conclude on." In the year 1714, the Yearly Meeting issued

directions to the Quarterly Meetings to recommend to the respective Monthly Meetings, where meetings of ministers were or should be held, that they appoint a suitable number of judicious Friends as elders, to sit with the ministers in their meetings. After this period, the select meetings are called "meetings of ministers and elders," and the time for holding the weekly meeting of ministers and elders in the city of Philadelphia, was subsequently changed from Seventh to Second-day; and continued to be held on that day of the week until it was finally discontinued.

Q. Has it been the usage of the society, and is it the duty of Quarterly Meetings to appoint committees to assist Monthly Meetings in treating with offenders, and otherwise maintaining the discipline of the society, when Monthly Meetings, through weakness, or any other cause, fail to perform that service to the satisfaction of the Quarterly Meeting?

A. In the system of church government established in the religious Society of Friends, Quarterly Meetings occupy a very important and responsible station. They are generally composed of several Monthly Meetings, over which they exercise a supervisory jurisdiction, and for the due maintenance of the discipline and order of the society in which they are accountable to the Yearly Meeting. Although the duty of treating with offenders is primarily intrusted to the Monthly Meetings, yet the Quarterly Meetings as well as the Monthly, are required to answer to the following query: "Do you take due care regularly to deal with all offenders in the spirit of meekness, without partiality or unnecessary delay, in order for their help; and where such labour is ineffectual, to place judgment upon them in the authority of truth." Monthly Meetings answer this query three times a year to the Quarter, and if, through these answers, or by a committee, or through any other channel, the Quarterly Meeting ascertains that either of its Monthly Meetings fail in complying with the requisitions of this query, it becomes the duty of the Quarterly Meeting to extend such advice or assistance as may remedy that defect; whether it be by admonition, tending to stir up the Monthly Meeting to a more faithful performance of its duties, or by a committee to assist it in dealing with offenders; and if the deficiency in the Monthly Meeting should have arisen from the smallness of its numbers, or its weakness arising from any other cause, it would become the indispensable duty of the Quarterly Meeting to appoint such a committee to assist that Monthly Meeting; and without this, the Quarterly Meeting could not justly answer to the Yearly Meeting, that "due care was taken regularly to deal with offenders," agreeably to the import of the query. The instances in which such aid has been rendered by the Quarterly Meetings to Monthly Meetings, are so numerous, as to place the usage of the society beyond a doubt.

Q. By the discipline and usages of the society, is it the business of the Meeting for Sufferings to inspect and explain the titles of the estate belonging to the society, and in difficult cases to give directions how it shall be appropriated or disposed of?

A. The third section containing an account of the further services confided to the Meeting for Sufferings, in the book of discipline, page 56, enumerates, as a part of their duties, that they are "to inspect and explain titles to land or other estate, belonging to any of our meetings; also charitable legacies and donations; and to give such advice respecting the same, as may appear to be necessary." The Society of Friends

been scrupulously careful, that property which it acquired by gift or bequest, should be strictly applied to the purposes for which it was intended by the donors: and where a difficulty arose as regarded this application, meetings were not left to exercise their own opinions, as to the mode in which it should be disposed of; but are obliged, by the discipline, to make an early application to the Meeting for Sufferings for advice and direction; and in order that this injunction may not be regarded or overlooked, that paragraph of the discipline which enjoins it, is directed to be annually read in Monthly and Preparative meetings. There have been frequent instances in which this application for advice and direction has been made to the Meeting for Sufferings. In the year 1812, the Monthly Meeting of Horseham made application to the Meeting for Sufferings, for its direction or advice as regarded the purchase of a part of a lot of ground on which the meeting house and apartments, and school-house were erected. The Meeting for Sufferings on an examination into the subject gave its decision in the case, and desired the Monthly Meeting strictly to follow it. In 1818, Sadbury Monthly Meeting made application for the advice and direction of the Meeting for Sufferings, in respect to the appropriation of a fund which had been raised for schooling. In 1822, southern Quarterly Meeting made application to the Meeting for Sufferings for advice and direction under the following circumstances:—Some years before a subscription had been raised in that Quarterly Meeting towards the establishment of a boarding school. The plan, however, failed; and a small balance of that fund remaining on hand, that Quarterly Meeting applied to the Meeting for Sufferings, for permission to appropriate it towards the education of the children of Friends who were in indigent circumstances: which was accordingly granted. The minute of the Meeting for Sufferings on that subject, and the report of the committee appointed on it, which I have carefully copied from the records of that meeting, I offer as an Exhibit.

The said copy is offered in evidence on the part of Joseph Hendrickson, and marked Exhibit No. 54. [See Appendix.]

Q. Was this duty imposed upon the Meeting for Sufferings, that a tribunal might be created in the society for the settlement of any difficulties which might arise in respect to the property of the society, which should be uninfluenced by the local or other feelings of the parties immediately interested?

A. I have no doubt that was the case; and to prevent subordinate meetings, in which such difficulty might arise, from exercising opinions which might be more or less influenced by local circumstances, and to place the power of decision in the representative body of the Yearly Meeting.

Q. Although the titles to the property of inferior meetings are generally vested in trustees for the use of those meetings, have the society ever recognised the principle of a divisibility of property, or separate estates in those meetings, or have they always considered the society as the great whole, in property, as well as in discipline?

A. That has been the general understanding; and although the property is held for the use of different meetings, still those meetings are always contemplated as meetings of the religious Society of Friends; and of course, as soon as any part of the members of those meetings came to be members of the religious Society of Friends, their rights in

the property, held for those meetings, necessarily cease; no division ever being contemplated or made of any portion of the property to those who were not members of the society.

Q. Has it ever been held that a Preparative or Monthly Meeting could either purchase or alienate property, without the approbation and consent of the Quarterly Meetings, consistently with the usage of the society?

A. When a Preparative Meeting, or a meeting for worship, is established in the order of society, the consent of the Quarterly Meeting is necessary; and the arrangements, as regard the accommodations for holding that meeting, would be approved by the act of its institution; but it has not been invariably the practice for Preparative Meetings to ask the consent of Quarterly Meetings in the purchase or sale of their property; though a Preparative Meeting could not appropriate any portion of its estate for other purposes than those for which it was held, without the consent of the Meeting for Sufferings. There have been, however, many instances in which Preparative Meetings have taken the advice of their Monthly or Quarterly Meetings, when about to purchase or alienate property. The same observations will apply to the case of Monthly Meetings.

Q. Does it appear to have been the usage of the society within the limits of Burlington Quarterly Meeting for the subordinate meetings to receive from it instructions, with respect to the use and enjoyment of their property, and especially of Chesterfield meeting, by the following minutes. The first under date of the 28th of Fifth-month, 1753, in the following words: "The report from Chesterfield adds, that they think it needful to enlarge the *particular* meeting house at Chesterfield, and shingle the said house, and repair the stable; and produced a draft of the proposed enlargement, which this meeting agrees with;" and one on the 26th of Eleventh-month, as follows: "Friends of Chesterfield having, *with the advice of this meeting*, made an addition to their meeting house, the following Friends, namely: William Morris, George Middleton, and Samuel Satterthwaite, are appointed to settle the accounts, and report to next meeting"—and also another, under date of the 27th of Fifth-month, 1754, as follows: "One of the Friends appointed to report the account of the repairs of the Chesterfield meeting house, reported them to this meeting, by which it appears that there is a balance of 78*l.* 5*s.* still due to the workmen, and Friends of that meeting are desired to go within the verge of the particular Monthly Meetings of Burlington and Egg-Harbour, and the meeting at Trenton, to see what can be collected there, *and the remainder to be supplied out of the stock.*" [Burlington Quarterly Meeting records, Exhibit 39.]

A. It does appear so.

Q. Without occupying the record, by transcribing the several minutes made on the subject, does it appear by that record to have been the universal practice within the limits of that Quarterly Meeting, for it to exercise a supervisory power over the property of its subordinate meetings, and to have given its directions for the erection of new meeting houses, or the repairing of such as had been erected, and of directing appropriations to be made by the different subordinate meetings, and out of its own funds, for defraying the expenses so incurred, and requiring them to be accounted for to that meeting, or directing it to be done to the Monthly Meeting?

A. It does so appear.

Q. Does it appear also to have been the practice of that meeting formerly to retain the possession of the title deeds of its subordinate meetings, by the following minute made of the report of a committee, appointed to settle the accounts of the treasurer of the meeting lately deceased, to wit: "That there is also in the hands of said executors, of our friend Caleb Raper, the following deeds, &c.;" and then reciting a list of the title papers to the several subordinate meetings, which the Quarterly Meeting dispose of, as follows, viz: "This meeting appoints Joshua Raper their treasurer; and desires the executors of our friend Caleb Raper, will deliver the above stock, with all the deeds and papers now in their hands unto said treasurer, and his receipt shall be their sufficient discharge." This committee having been appointed to give "an account of what papers, &c. were lodged in *his* hands."—[Burlington Quarterly Meeting records, Exhibit 39, Ninth-month, 1745.]

A. It does appear from the record to have been the practice of that meeting so to do.

Q. Did you attend the Monthly Meetings in Philadelphia, at which Daniel Haviland and Samuel Livezey made proposals of visiting the families of those meetings; and if so, state what took place?

A. I did attend those Monthly Meetings when those individuals made proposals for visiting the families composing them. Those proposals were voluntarily submitted by them to the Monthly Meetings respectively, for their decision, according to the established usage of the society in the city of Philadelphia. There was no expression in either meeting, I think, approving of their proceeding in the proposed visit, as a religious concern. On one occasion, while Samuel Livezey's prospect was under consideration, two or three Friends expressed that they could welcome him to their houses; to which reply was made, that probably every Friend in the meeting could say the same; but that the business of the Monthly Meeting was, to decide upon the proposed visit, as a religious concern. Whatever might have been the feelings of Daniel Haviland, at the time his prospect was put by, I am satisfied that he entertained no unkind feelings towards Friends in Philadelphia, in consequence of it. I was well acquainted with him for several years before his death, and several times in his company. He always spoke with great affection and regard of Friends in Philadelphia, and especially some of the elders of that city. This was the case in a conversation I had with him shortly before his decease. He continued to the close of life, to be opposed to the unsound doctrines of Elias Hicks, and a minister in unity with the Society of Friends. Samuel Livezey joined in the separation, and has been disowned.

Q. Were you present at the Pine street Monthly Meeting, Philadelphia, in 1823, when a proposal was made for a new nomination of overseers?

A. I was there at that time, and in 1820 and 1826, when similar proposals were made.

Q. By whom were they made?

A. They were made in all those instances, as well as in all others which have occurred within my recollection, which extends to about twenty years, by the overseers themselves, in conformity with the direction of the discipline, "that a committee be appointed at least once

in three years, or as much oftener as the occasion may require, to consider the propriety of changing the overseers, &c.

Q. Were you there when that meeting adjourned whilst Elias Hicks was in the women's apartment.

A. I was present on that occasion.

Q. What occurred in that meeting in relation to the adjournment.

A. After the men's meeting had sat a long time, Elias Hicks made a proposal to visit the women's meeting, and obtained consent to do so.

[VOICES.]

Soon after he went into the women's apartment, the men's meeting came to a decision, *without a dissenting voice*, that it had proceeded so far in the transaction of its business, as it would be proper to go to rest and siting. The business was accordingly suspended, and the meeting sat a considerable time in silence, waiting for the return of Elias Hicks. Isaac W. Morris then observed, that as the meeting had finished its business for the day, he thought it unnecessary that so many Friends should be detained, merely to wait for the return of Elias Hicks into the men's meeting, and proposed that "the meeting should close." Many Friends expressed their approbation of this, when John Hunt, of Darby, said that he thought it might be considered to be intended as a snare to Elias Hicks, if the meeting should adjourn to which it was required that no such inference could justly be drawn, inasmuch as the Yearly Meeting had several times adjourned, while ministers from other meetings were engaged in a visit to the women's apartment. Three or four of the members of Pine street meeting, at first seemed to coincide with John Hunt's views; but after this explanation, no further objection was made, and the meeting did accordingly close.

Q. Can you state the causes which led to the displacing of Leonard Snowden from his station, by Green street Monthly Meeting, and the proceedings had with regard to it?

A. In order to give a correct view of the causes which led to that displacement, it will be necessary to advert to some circumstances which preceded it. In the year 1832, Elias Hicks obtained a certificate to pay a visit to some of the meetings within the limits of the Yearly Meeting of Philadelphia, and in some other parts. Previous to that period, the minds of many Friends had been much concerned, in consequence of his promulgating sentiments different from, and repugnant to, those held by the religious Society of Friends. A part of a letter which he had written to William B. Irish, in which he rejected the doctrine of the propitiatory sacrifice of our Lord Jesus Christ, as a vulgar error, had been printed by his friends, and widely circulated: and an essay entitled "Wisdom justified of her children," written by him, had been disseminated in manuscript. These, together with his public preaching and private conversation, afforded strong evidence that his views on doctrinal subjects, and those of an important and fundamental character, were such as did not accord with the acknowledged principles of the society. His *new views*, as they were termed, had become a subject of general conversation among the members of the society; and under such circumstances, the prospect of his paying a visit to the meetings of Friends, in the character of a minister, could not but be a source of painful concern to those who were sincerely desirous for the preservation of sound Christian doctrines in the society. As his certificate

embraced a visit, not only to the meetings in the city of Philadelphia, but also to the *families* composing two of them; it was to be expected that the elders in that city, on whom devolved, by the discipline and usages of the society, not only the especial oversight of the ministry, but also a care for promoting the welfare of all the members, would feel deeply exercised at the prospect of such a visit, and the consequences which must necessarily ensue from the promulgation of anti-Christian principles. A short time previous to his arrival in the city, he attended the southern Quarterly Meetings; and at the public meeting for worship then held, he delivered some sentiments which were very objectionable. Ezra Comfort and Isaiah Bell, who were present at that meeting, were much concerned at the opinions which he delivered; and Ezra Comfort thought it would be right for him to have an interview with Elias Hicks in relation to it. Soon after that meeting was over, he set out on his way home, agreeably to a conclusion he had previously come to.

On his way home he passed through the city of Philadelphia, and mentioned to some of the elders of that city, his wish to have such an interview; and as Elias Hicks was expected to be in the city in the course of a few days, he desired them to inform him of his wish, and make an early arrangement for their meeting. Two of the elders accordingly called upon Elias Hicks, informed him of the dissatisfaction of Ezra Comfort, and of his wish to have an interview with him. Elias Hicks, however, declined meeting him in that opportunity, as well as a subsequent one. The apprehensions of Friends that he was determined to persist in the promulgation of his unsound opinions, were thus strongly confirmed; and as he was about entering upon his proposed *family visit*, the elders of Philadelphia believed it incumbent upon them to examine farther into the matter, and, if possible, to arrest the evil consequences which must result from the dissemination of his views. They accordingly requested him to give them a private opportunity, in conformity with the established usage of the society, in cases where subjects relating to the ministry are to be discussed. He at first refused; but at the solicitation of some of his friends, at length consented to the interview, and fixed the *time* and *place* for it. When the elders accordingly met, they found a large number of persons assembled from the country, as well as the city, some of whom were neither ministers nor elders. They did not think it proper, of course, to enter upon the discussion of those subjects in a promiscuous assembly, and withdrew. The only course which then remained for them was, to make him acquainted by letter with the exercise and concern which his alleged principles had occasioned them. They accordingly addressed him a letter dated Twelfth-month 19th, 1822, signed by ten of their number; and on receiving his reply, they again addressed him, under date of First-month 4th, 1823. These two letters I offer as exhibits; they are marked by me A and B, in this paper: [the witness having the paper in his hand.]

Mr. Price. If they are not the originals, I object to them; and I also require the whole correspondence between them, in the case.

Witness. They are not the originals, as I presume they are in the possession of the heirs of Elias Hicks; but these are correct copies of which were addressed to him. If the counsel wishes the whole correspondence in the case, and will produce the originals addressed to Hicks, I will ask to have them marked exhibits.

Mr. Price. The counsel presumes the witness has more ready access to letters addressed to the elders: the counsel and his clients have as little control over, or interest in those in the possession of the heirs of Elias Hicks, as of those in the possession of the elders: but if a part is undertaken to be produced, he thinks it at least fair that the whole correspondence should be.

Witness. The witness might retort the reply of the counsel, as regards the control over the letters addressed to Elias Hicks, with as much propriety as that reply was addressed to him. He has no disposition to conceal any part of the correspondence; but as the production of those two letters from the elders were necessary, in order to reply to the question put to him some time back, and as the production of the others was not necessary for that purpose, he therefore copied only the former.

These two letters were signed by Leonard Snowdon and Joseph Scattergood, who were elders in Green street Monthly Meeting. Elias Hicks proceeded in the prosecution of his visit to the families of that meeting, and notwithstanding the uneasiness which it was *well known* many Friends in the city of Philadelphia felt with the doctrines he promulgated, that Monthly Meeting made a minute expressive of its unity with his services. The circumstance of those two elders having signed the letters referred to, was construed into an offence by the members of Green street meeting, who were favourable to Elias Hicks' views. They were accordingly repeatedly visited by the overseers on that account.

In Sixth-month, 1824, Joseph Scattergood died. At the Preparative Meeting of Green street in Eighth-month following, one of the overseers who had been engaged in visiting Leonard Snowdon in consequence of his dissent from the principles of Elias Hicks, being clerk of the Preparative Meeting, read a charge against Leonard Snowdon in substance as follows: "Leonard Snowdon hath been visited by the overseers for joining with others, and at other times, out of gospel order, accusing an approved minister of holding and disseminating doctrines very different from those held by our religious society, without substantial foundation, and contrary to our united judgment previously expressed; thereby defaming his character, and manifesting disunity with the Monthly Meeting." After some discussion it was concluded to modify this, so as to read in substance, "that Leonard Snowdon had been visited by the overseers for manifesting such a degree of disunity, that in their sense he had lost his service as an elder." This minute was forwarded to the Monthly Meeting, and entered on its minutes, with the addition "that he was accordingly released."

Q. How was this subject first introduced to the notice of the Quarterly Meeting of ministers and elders in Philadelphia?

A. From an examination of the minutes of that meeting, it appears, that at a Quarterly Meeting of ministers and elders, held the 3d of Fifth-month, 1823, an application was made by the Preparative Meeting of ministers and elders at Green street, for its advice and assistance in a case of difficulty. The minute of the Preparative Meeting I have carefully copied from the original report of that meeting to the Quarterly Meeting, and which is marked by me C, in this paper which I have in my hand. The Quarterly Meeting, on receiving this application, referred it for consideration at its next meeting, at which it appointed a committee of men and women Friends to sit with the members of the select Preparative Meeting at Green street, and extend such brotherly advice

assistance as they might be qualified for. This committee was consulted, from time to time, until Tenth-month, 1824, when they made a report to the Quarterly Meeting, which was entered on its minutes. All the minutes of the select Quarterly Meeting in relation to that subject, have been carefully copied from the record; they are marked by me D and are in these papers. The report of the committee to which I have alluded, which is marked by me E, informed the select Quarterly Meeting that the Monthly Meeting of Green street had taken up the case: on receiving which information, the select Quarterly Meeting suspended all proceedings in the case, and transmitted it to the Quarterly Meeting for discipline, by a minute which I have copied from the original paper sent to the Quarterly Meeting for discipline, and which is marked by me F, in these papers.

Q. Did the Monthly Meeting proceed to a final result in the case?

A. Yes, they did.

Q. What was it?

A. They displaced Leonard Snowdon from his station as an elder, by a minute, declaring him to be in such a degree of disunity, as that he lost his service; and after this minute was made, application was made to the Monthly Meeting by a Friend, on behalf of Leonard Snowdon, for a copy of it: which they declined giving him.

Q. Was he entitled to a copy?

A. He certainly was,—a record being made against him, injurious to his religious reputation, and in his absence, he certainly had a right to go for and receive a copy of that record.

Q. Did he appeal from that decision to the Quarterly Meeting?

A. Apprehending that the discipline had been violated by the Monthly Meeting, in making that record against him, without appointing any committee to inquire into its correctness or to extend brotherly labour to his restoration to unity, if he had been in error, agreeably to the discipline and usages of the society, and being thus virtually placed by that meeting, in some degree, in the character of a disowned person, he appealed to the Quarterly Meeting for that redress, and that respect of his religious rights, which the Monthly Meeting had failed to grant him. His appeal to the Quarterly Meeting was in writing, a copy of which I have made out and carefully compared: it is marked by me G, in these papers.

Q. When the appeal came before the Quarterly Meeting, were the members of Green street Monthly Meeting present, and did they speak frequently to the case?

A. Notwithstanding it is the established usage of the society, that in a meeting to which an appeal comes, the members of the meeting appealed against are not to interfere in the case, yet from the first introduction of the appeal of Leonard Snowdon, into the Quarterly Meeting of Philadelphia, a number of the members of Green street Monthly Meeting were the most frequent speakers on the occasion, and they not only strenuously opposed his appeal being heard, but made many high charges against him, calculated, if true, to have destroyed his religious reputation.

Q. How was the case finally disposed of?

A. The subject was first entered on the minutes of Philadelphia Quarterly Meeting, in Eleventh-month, 1824; it was referred from that to the next Quarterly Meeting: at that Quarterly Meeting, held Second-

pune, and ought therefore to be annulled. This report was adopted by the Quarterly Meeting, with very little or no opposition.

[NOON.]

A copy of which is marked by me O, in these papers, together with the minute of the Quarterly Meeting adopting it. That the proceedings of Green street meeting in this case, as well as in that of Leonard Snowden, were contrary to the generally received understanding of the discipline of the society, as well as in opposition to its long established usage, is obvious from the attempts which were made by those who have since separated from the society, to procure an alteration in the discipline as respects the eldership. When this subject was first under discussion in the Yearly Meeting, which was in 1825, they strongly contended for it, on the ground that it would conduce to the best interests of the society, for Monthly Meetings to have the power of removing elders at their pleasure; and that in order to give them that power, a change in the discipline was necessary. And the subject is placed beyond doubt, by the nature of the second proposition which was made for accomplishing that purpose. The proposal brought up from Bucks Quarter to the Yearly Meeting of 1827 was, "that the meeting should take into consideration that part of our discipline relative to the appointment of elders, in order, if way should open, that Monthly Meetings shall have authority to remove them whenever it may appear their service in that station has ceased to promote the best interests of society;" and that brought up in the same year from Abington Quarterly Meeting, proposed the reconsideration of the discipline relative to the appointment of elders and members of the Meeting for Sufferings, with a view that such appointments be made for a limited time; from which it is apparent that up to that period, even those who have since separated, did not consider Monthly Meetings possessed of such authority, or that those appointments were made for any limited period. The minutes of Bucks and Abington Quarterly Meeting will be found in these papers, marked by me P and Q.

Q. Were you present in Philadelphia Quarter when a committee was appointed to visit the Monthly Meetings composing it?

A. I was present on that occasion. The proposition for the appointment was made by two persons deputed from the women's meeting, informing that their meeting had agreed to appoint such a committee, if men Friends approved of it. There was considerable opposition made to it at first, and particularly by the members of Green street meeting. But after it had been some time under discussion, they waived their opposition, and appointed two persons who were known to be of their party, on the committee. The minute of the Quarterly Meeting, appointing that committee, is marked by me R, in these papers.

Q. In the year 1827, did the Monthly Meeting of Green street, make a minute expressive of its unity with Elias Hicks and his ministry?

A. Yes, they did. Elias Hicks made a visit to Philadelphia in the winter of 1826, in the course of which his public preaching gave great uneasiness to many Friends, and fully confirmed the apprehensions which had been entertained, that he had adopted, and was determined to persist in promulgating, sentiments adverse to the christian principles of the society. After he had left the city to return home, a proposition was made in the Monthly Meeting of Green street, by one of its most

meeting. In consequence of the long and frequent speeches which they made upon the occasion, extending, in some instances, when I counted, from fifteen to thirty-two harangues from the same individual in the course of one meeting, the sitting of our Quarterly Meeting was frequently protracted for several hours beyond the usual time of its session. There were two occasions on which the members of that meeting were interrupted while speaking; but it was only in consequence of the very serious charges which they were making at the time, affecting the moral and religious standing of individuals who were not present: and to appeal to their own sense of propriety, whether it was correct then to impeach the motives and character of absent individuals, in the face of a large Quarterly Meeting. The members of Green street, however, complained heavily of this interruption; represented it as an abridgment of their rights, and that by such acts of *intolerance* and *oppression*, the Quarterly Meeting had absolved them from all responsibility to it.

Q. After the case of Leonard Snowden had been referred for the decision of the Yearly Meeting, and while it was still pending, did Green street Monthly Meeting proceed to displace others of its elders?

A. It did so; in Eighth-month, 1826, one of the members of Green street Monthly Meeting stated in it, as the sense of a committee which had been previously appointed, though without minute, that "Mary Taylor and Ann Scattergood had lost their services as elders in that meeting," or words to that effect, and proposed that they should be displaced. Some discussion took place in the Monthly Meeting, and a number of persons objected to these proceedings, as being contrary to the discipline. But one of the most active members in the Monthly Meeting said, it was not worth while to pay any attention to the objections of those who were opposed to the measure, and a minute was accordingly made, releasing them from that service. This minute was sent into the women's meeting by two men, who remained there while it was under consideration, and one of them, as I understood, took an active part in urging that meeting to a similar conclusion. As these proceedings were unauthorized by the discipline, and an impeachment of the religious character of those Friends, they thought it right to remonstrate with the Monthly Meeting, and did so by a written communication, dated Ninth-month 20, 1826, and which is marked by me K, in these papers. The Monthly Meeting took little or no notice of this paper; and as there seemed no probability of its granting them any redress, they informed it in writing in the following month, of their intention of appealing to the Quarterly Meeting. A copy of the paper giving this information is marked L by me in these papers. The subject was brought before the ensuing Quarterly Meeting held in Eleventh-month of that year by a written address, a copy of which will be found in these papers, marked by me M. On considering the subject, the Quarterly Meeting decided with great unanimity, to appoint a committee to examine into the circumstances of the case, and report their sense. The committee was taken out of all the Monthly Meetings, constituting the Quarterly Meeting; except Green street, whose proceedings were appealed against. A copy of the minute of their appointment is by me marked N, in these papers. That committee reported to the next Quarterly Meeting, that they were of the judgment that the proceedings of Green street Monthly Meeting, in the cases of those two Friends, had not been in conformity with the salutary order prescribed by the disci-

pline, and ought therefore to be annulled. This report was adopted by the Quarterly Meeting, with very little or no opposition.

[NOON.]

A copy of which is marked by me O, in these papers, together with the minute of the Quarterly Meeting adopting it. That the proceedings of Green street meeting in this case, as well as in that of Leonard Scordon, were contrary to the generally received understanding of the discipline of the society, as well as in opposition to its long established usage, is obvious from the attempts which were made by those who have since separated from the society, to procure an alteration in the discipline as respects the eldership. When this subject was first under discussion in the Yearly Meeting, which was in 1825, they strongly contended for it, on the ground that it would conduce to the best interests of the society, for Monthly Meetings to have the power of removing elders at their pleasure; and that in order to give them that power, a change in the discipline was necessary. And the subject is placed beyond doubt, by the nature of the second proposition which was made for accomplishing that purpose. The proposal brought up from Bucks Quarter to the Yearly Meeting of 1827 was, "that the meeting should take into consideration that part of our discipline relative to the appointment of elders, in order, if way should open, that Monthly Meetings shall have authority to remove them whenever it may appear their service in that station has ceased to promote the best interests of society;" and that brought up in the same year from Abington Quarterly Meeting, proposed the reconsideration of the discipline relative to the appointment of elders and members of the Meeting for Sufferings, with a view that such appointments be made for a limited time; from which it is apparent that up to that period, even those who have since separated, did not consider Monthly Meetings possessed of such authority, or that those appointments were made for any limited period. The minutes of Bucks and Abington Quarterly Meeting will be found in these papers, marked by me P and Q.

Q. Were you present in Philadelphia Quarter when a committee was appointed to visit the Monthly Meetings composing it?

A. I was present on that occasion. The proposition for the appointment was made by two persons deputed from the women's meeting, informing that their meeting had agreed to appoint such a committee, if men Friends approved of it. There was considerable opposition made to it at first, and particularly by the members of Green street meeting. But after it had been some time under discussion, they waived their opposition, and appointed two persons who were known to be of their party, on the committee. The minute of the Quarterly Meeting, appointing that committee, is marked by me R, in these papers.

Q. In the year 1827, did the Monthly Meeting of Green street, make a minute expressive of its unity with Elias Hicks and his ministry?

A. Yes, they did. Elias Hicks made a visit to Philadelphia in the winter of 1826, in the course of which his public preaching gave great uneasiness to many Friends, and fully confirmed the apprehensions which had been entertained, that he had adopted, and was determined to persist in promulgating, sentiments adverse to the christian principles of the society. After he had left the city to return home, a proposition was made in the Monthly Meeting of Green street, by one of its most

Influential members, that it should issue a minute, addressed to the Monthly Meeting to which he belonged, expressive of its unity with his services. This was considered, and stated in the meeting at the time, to be an unusual circumstance, as he had not attended that Monthly Meeting in the course of his visit. Several of the members of the meeting objected to it on this ground, and also because it would be recording an approval of his doctrines, which it was well known had given great uneasiness and dissatisfaction to many Friends. It was, however, alleged by others of the members, that the fact of their having given such dissatisfaction, was a strong reason why they should issue a minute in his favour. The Quarterly Meeting's committee who were present also remonstrated against it, with the exception, I think, of one member; but their sentiments were disregarded, and a minute made. The minute was made, I think, in Second-month, 1827.

Q. Were you present when Green street meeting declared itself independent of Philadelphia Quarter, and attempted to separate from it?

A. I was present at the meeting.

Q. State the circumstances which occurred on that occasion?

A. It was held on the 26th of Fourth-month, 1827. At the opening of the meeting for business the clerk rose, and stated that a number of the members of that meeting had previously been together, and that he had prepared a minute, in conformity with the conclusion which he understood was then come to. A Friend observed, that before the clerk read the minute, he thought it would be right to inform the meeting, by the authority of what meeting it had been prepared; remarking that no individuals had a right to meet and come to conclusions out of doors, and then bring them into a Monthly Meeting, and record them as the conclusions of that meeting. No notice was taken of this. The clerk read the minute, and a number of the members expressed their approbation of it. It proposed that they should dissolve their connexion with the Quarterly Meeting of Philadelphia, of which it acknowledged they were a constituent branch, and join some other Quarterly Meeting. Several of the members of that meeting remonstrated against the measure, as being entirely contrary to the discipline of the society, and a virtual secession from the Society of Friends, inasmuch as it declared that they had dissolved their connexion with the only Quarterly Meeting in the society in which they had any rights. But they were reprimanded for expressing any such sentiments; and several times desired to be quiet. The Quarterly Meeting's committee also, with the exception of two of its number, protested against the measure, as a direct violation of the discipline and order of the society; and used considerable persuasion to induce the meeting to pause, before it thus rashly committed such an infraction of the discipline. They were, however, commanded to be silent; and the members of the meeting desired to pay no attention to what they said. The expression was repeatedly made use of, that the Monthly Meeting was independent of the Quarterly Meeting; that they would not be subordinate to it; that they had declared their independence, and meant to maintain it; and that if no Quarterly Meeting received them, they would still be *Green street Monthly Meeting*. The minute made on the occasion, I have copied, and it is marked by me S, in these papers. A number of the members of that meeting, who were opposed to these unprecedented proceedings, subsequently presented a communication to the Quarterly Meeting of Philadelphia, stating their

situation, and requesting its care. This communication is marked by me T, in these papers. After the foregoing minute had been made, the clerk read another, which he said had been prepared at the same time, and in the same manner, appointing a committee to attend the Quarterly Meeting of Abington, and request that meeting to receive Green street Monthly Meeting as a component part of it. This was also adopted, notwithstanding the opposition made to it, and both the minutes sent into the women's meeting. They then proceeded to suspend the Preparative Meeting of ministers and elders, which stood adjourned, I think, to meet the next day. After they had finished their business, several of the members of Green street meeting thought it their duty, in conformity with the direction of the discipline, to remain together and appoint representatives to the Quarterly Meeting which was then near at hand. They accordingly attempted to do so, but were assailed in a very rude and violent manner; the window shutters of the house closed up, while they were sitting, endeavouring to procure sufficient stillness among the crowd who stood laughing around them, to transact the little business they had to do. They were several times ordered to leave the house, and threatened with an indictment if they did not. All attempts to procure any thing like order or stillness being entirely fruitless, they were compelled to leave the house without making the appointment they intended.

Q. Did the Quarterly Meeting of Philadelphia proceed to lay down and dissolve the Monthly Meeting of Green street?

A. Yes, they did so. The committee appointed to visit the Monthly Meetings, had attended those held in the city of Philadelphia, as they came in course, and in all of them, except in Green street, their labours were well received; but that meeting entirely rejected their counsel, and contemned their authority. At the Quarterly Meeting, held in Fifth-month, 1827, that committee made a report, stating the circumstances which had occurred at Green street, which is marked by me U, in this paper. At the same Quarterly Meeting at which this report was made, two of the members of Green street meeting attended with a copy of the minute of their meeting, declaring that they had dissolved their connexion with Philadelphia Quarterly Meeting; on receiving which, and hearing the report of the committee, it appeared, that they had entirely thrown off their subordination to the discipline, as well as to the Quarterly Meeting of Philadelphia, of which they were a constituent branch. The Quarterly Meeting, therefore, recalled those powers which it had previously delegated to Green street meeting, and which it had proved itself incapable of exercising in its then situation, to the dignity and benefit of the society. The minute of the Quarterly Meeting laying down the Monthly Meeting of Green street, I have carefully copied, and it is marked by me V, in these papers. At the same Quarterly Meeting, a committee was appointed to attend the Quarterly Meeting of Abington, and inform it that Philadelphia Quarterly Meeting considered the members of Green street meeting under its jurisdiction and care; and that it had dissolved that Monthly Meeting, and united the members to the Monthly Meeting of Friends, of Philadelphia, for the northern district. This minute is marked by me W, in these papers. In Eighth-month following, that committee produced a report in writing, marked in these papers, X. A committee was also appointed in Fifth-month, to inform the meeting at Green street
of the Quarterly Meeting re

specting it, and to request the delivery of the books and papers belonging thereto. This committee produced a report in Eighth-month, a copy of which is marked Y, in these papers. In conformity with the decision of the Quarterly Meeting, ninety-one adult members of Green street meeting, with their children, seventy-three in number, making together one hundred and sixty-four persons, acknowledged themselves members of the northern district meeting, thereby approving the judgment of the Quarterly Meeting. The several papers which I have referred to, marked by me from A to Y, inclusive, have been carefully copied; the minutes from the books of record of the respective meetings, or of, or from official papers issued from those meetings and signed by their clerks, and are correct copies of the several documents, copied and compared by myself with the original records. As respects those marked A and B, the originals were not within my control, but as they have been printed and circulated, I have taken these copies from the printed copies, of which they are a correct counterpart.

Q. I would ask, whether they are generally considered and admitted by both parties to be correct copies of the said letters?

A. They are so.

The remainder of the correspondence between the elders of Philadelphia and Elias Hicks, I have also transcribed from copies, admitted to be correct I believe, by both parties, and offer as an exhibit.

The series of papers marked from A to Y, inclusive, are now offered in evidence on the part of the said Joseph Hendrickson, and marked by me respectively as Exhibits 55, and to 78 inclusive.

The remainder of the correspondence last referred to by the witness, is offered in evidence on the same side, and marked by me Exhibits No. 79, 80, 81, 82.

Q. Have there been other instances of meetings being laid down by Quarterly Meetings, besides those you have mentioned, Green street, and that of the eastern district in Baltimore?

A. I mentioned in my former examination, that owing to the harmony in which the society had been preserved, previous to the late separation, there had seldom been occasion for Quarterly Meetings to exercise their authority in laying down meetings in consequence of insubordination. There is one instance, which is to be found in the minutes of the western Quarterly Meeting, in which Hempfield meeting refused to report its state to Sadsbury Monthly Meeting, of which it was a constituent and subordinate branch. Sadsbury Monthly Meeting reported the case to the western Quarterly Meeting, which meeting had it under care for several months, and came to the conclusion, that "a meeting could not be held at Hempfield to the reputation of society, or their own benefit;" but the members still continuing to hold a meeting, in opposition to the judgment of the Quarterly Meeting, it directed Sadsbury Monthly Meeting to deal with such of the members as persisted in that determination: the several minutes of the Quarterly Meeting on that subject I have carefully copied from the records, and they are contained in this paper, which I offer as an exhibit.

Q. Did you compare that copy with the record?

A. I did, and it is an exact copy.

The said paper is offered in evidence on the part of Joseph Hendrickson, and marked Exhibit No. 83.

On the minutes of the same Quarterly Meeting I find the following

slackness in some of them in attending meetings, renders them unable of holding a Preparative Meeting, to advantage or reputation, we submit to the Quarterly Meeting;" signed by Thomas Wood, John Millhouse, Samuel England, George Churchman, William Thomas Gibson. We, the women Friends who attended the service, also concur with the substance of the above report; Ann Chandler, Hannah Chandler; which being read is approved; and, therefore, the preparative Meeting at George's Creek is discontinued, until further order, and Duck Creek Monthly Meeting is desired to have the case of George's Creek meeting under their care, as it may appear necessary. At the western Quarterly Meeting, the 15th of Fifth-month, the committee respecting West Nottingham Preparative Meeting report in writing that they have generally attended to the service, some of their number sat in most of those meetings there, since their appointment; and have had to sympathize with a small number who were in place; yet are unanimously of the mind, that in their present weakness they are not in a capacity of transacting the business of a Preparative Meeting to the honour of truth, which being considered, is concluded, with, and that meeting discontinued; and James Bennett, John Moses Coates, William Swain, Isaac Jackson, jr. Daniel Thomas, James Wilson, and Samuel Cope, are appointed to attend the next meeting, and tenderly inform the members of that meeting of this conclusion, to advise them respecting their joining to another Preparative Meeting, and report next Quarter. At the next Quarter, held 21st of Fifth-month, 1780, the following minute was made, "Friends appointed to report, they mostly attended at West Nottingham, and informed the members there, as proposed; also advised them, respecting their joining to another Preparative Meeting, which a number submitted to."

Q. From your examination of the minutes of the Yearly Meeting at Philadelphia, does it appear that the subject of the establishment of schools, for the guarded and religious education of the youth, has frequently engaged the attention of that body, and been repeatedly recommended by it to its subordinate meetings?

qualified for that service, came weightily before the meeting; when it is recommended that Friends should exert themselves therein, as far as their circumstances would permit; and that the likeliest means to induce persons properly qualified to undertake the business, would be to have some certain income fixed; in consideration of which, they should be obliged to teach as many children on behalf of each Monthly or particular meeting, as the said meeting shall judge adequate to a salary; and that no master should be employed but with the approbation of a committee of the Monthly Meeting, appointed for that other services relating to such schools. But we find, that notwithstanding these pressing recommendations, very little has been done annually therein. We therefore think it necessary that it be recommended to the Quarterly and from them to the Monthly and Preparative Meetings, that the former advice for the collecting a fund for the establishment and support of schools under the care of a standing committee appointed by the several Monthly or particular meetings, should annually take place, and that it be recommended by the Yearly Meeting to the Friends of each Quarter, to send up the next year an account of what they have done therein." And again: "And if, to what has been proposed, Friends were willing to add the promoting a subscription towards the increase of which might be employed in paying the master's salary, if necessary, and promoting the education of the poorer children; such a fund, though it might be but small in the beginning, being a fixed object, would draw the attention of Friends to the subject; whereas, so long as there is no beginning made, this weighty subject is neglected by many who would be glad of giving encouragement to so necessary and good a work." This report was adopted by the Yearly Meeting, and, together with the proposals which it contained, was recommended to the notice and serious attention of Friends in their respective Preparative, Monthly, and Quarterly Meetings, and to the Yearly Meeting in general, in order to excite and revive in their minds a pious interest therein, and to make such progress in promoting the institution of schools, as their circumstances and the importance of the matter would admit, and to send an account to the meeting next year of their proceedings therein." In almost every year from that time to the commencement of the present century, the Yearly Meeting has issued earnest recommendations to its subordinate meetings, in relation to this interesting subject. The following is from the minutes of the meeting of 1780: "It sorrowfully appearing that there are afflicting deviations from plainness of speech, behaviour, and apparel, which truth has, and which ought to lead into, it is affectionately recommended to parents and heads of families, to seek after best wisdom for the government of their children under their care, and that proper endeavours may be used to inculcate on the tender minds of the rising youth, the essential principles and doctrines of the Christian religion; that so that obvious rudeness and ignorance which appears in many, may be done away; and, as help thereto, Friends are again earnestly desired, with proper liberality, to encourage and promote schools under the care of religious tutors, and to establish funds, as recommended by this meeting in the year 1780." In order the more effectually to revive the subject, 500 copies of the said report were directed to be printed and sent down to the Quarterly and Monthly Meetings.

The minute of 1780, was a revival of the recommendation issued in 1778.

Adjourned until 10 o'clock to-morrow morning.

Tuesday morning, April 12, 10 o'clock. Examination of Thomas Evans continued.

Q. Was there any person nominated as clerk of the Yearly Meeting of Philadelphia in 1827, except Samuel Battle?

A. There was no person nominated or proposed for clerk in the Yearly Meeting, except Samuel Battle.

Q. Have you seen a statement of the relative numbers of those styled Orthodox, and Hicksites, within the limits of Philadelphia Yearly Meeting, which has been made an exhibit by the counsel on the opposite side?

A. Yes, I have seen it.

Q. From your own knowledge or information derived from authentic sources, can you state whether that enumeration is correct, or otherwise?

A. I am satisfied that this statement, (having it before him,) in several particulars, is *very incorrect*. The whole number of those styled Orthodox, in Philadelphia Quarterly Meeting, which includes not only the meetings in the city of Philadelphia, but several meetings in the country, is less in this statement, than the actual number of Friends, called Orthodox, in the city of Philadelphia alone. Each of the Monthly Meetings in the city of Philadelphia keeps a regular list of its members. From a personal examination of these lists, I have ascertained that the number of Friends styled Orthodox, is 2926; whereas, this statement represents the whole number in the Quarterly Meeting to be but 2640. From authentic sources of information respecting the meetings in the country belonging to Philadelphia Quarterly Meeting, as well as my own knowledge in the city, I have ascertained that the number of Friends called Orthodox, in the Philadelphia Quarterly Meeting, excepting the Monthly Meeting of Exeter, from which no account has yet been received, is 3317. In the same Quarterly Meeting, the number of those called Hicksites, is 2077. In Caln Quarterly Meeting, this statement, which has been exhibited, represents the number of those called Orthodox, to be only 557: whereas, from lists made out by the members of the meetings constituting that Quarter, there are 952 Friends. In Burlington Quarterly Meeting, this statement represents that there are only 800 of those called Orthodox: whereas there are 1188. In Haddonfield Quarterly Meeting, this statement represents that there are but 789 of those called Orthodox: whereas it appears that the number of Friends called Orthodox, in that Quarter, is 1097. In Salem Quarterly Meeting: this statement represents the number of those called Orthodox, to be 1200: whereas there are in that Quarterly Meeting 454. In Shrewsbury and Rahway, the statement represents the whole number of those called Orthodox to be 175: whereas there are 233 in that Quarterly Meeting. These are the only Quarterly Meetings from which I have seen accounts; but I have no doubt, if the returns from the other Quarterly Meetings were received, they would exhibit similar inaccuracies in the statement to those I have already mentioned. This paper contains the result of an enumeration in six of the Quarterly Meetings belonging to Philadelphia Yearly Meeting, which has been made by persons belonging to the respective meetings composing them, and which I offer as an exhibit.

This statement includes men, women and children, on each side; the children being placed with their parents.

The above statement is offered in evidence on the part of Joseph Hendrickson, and by me marked Exhibit No. 84. [See Appendix.]

Q. What was the nature of the proposition made to the Yearly Meeting of 1827, by the Philadelphia Quarterly Meeting, on the subject of appeals?

A. The proposition was in these words, which I copied from the record, and compared it therewith, viz: "By a minute from the Monthly Meeting for the western district of Philadelphia, it appears that they apprehend it has become necessary to request of the Yearly Meeting an explanation of the rule of discipline on appeals; in which, as it now stands, there is nothing expressed, granting an appellant the privilege of objecting to any Friend named on the committee; which circumstance may lead to a difference of practice on this important subject; the proposition having obtained the deliberate consideration of this meeting, it was concluded to submit it to the consideration of the next Yearly Meeting."

[NOON.]

And the said Thomas Evans being cross-examined on the part of the complainant and Stacy Decow, further saith, viz:

Question by Mr. Price. Without the production of the records of the Yearly Meeting, and Meeting for Sufferings, and the Burlington Monthly Meeting, called for in October, 1830, I find it impossible to cross-examine this witness in a manner to do justice to my clients and their cause. I would, however, ask the witness whether all the disciplines and histories of the society are erroneous in dating the origin of the Yearly Meeting on the 28th of Sixth-month, 1681, on a proposition of the Burlington Monthly Meeting on the 2nd of Third-month, 1681?

A. As regards the minutes of the Yearly Meeting, and the Meeting for Sufferings, I shall be glad to furnish the counsel with any aid which I have been enabled to obtain from an examination of them, either on this subject, or any other connected with this cause. The only discipline of the society which I am acquainted with, that gives any account of the establishment of Philadelphia Yearly Meeting, is the discipline of that Yearly Meeting, which says, "It appears by the records, that our first Yearly Meeting was held at Burlington, New Jersey, the 31st day of Sixth-month, 1681, old style, for the provinces of Pennsylvania and New Jersey." The inaccuracy as regards this date, has arisen, I apprehend, from the omission to make the requisite distinction between what was called the Yearly Meeting of Burlington, and the Yearly Meeting for Pennsylvania, New Jersey, and the adjacent provinces. In order to give a correct view of the origin of this Yearly Meeting, it will be necessary to advert to the circumstances of the Society of Friends in America at that period. The society at that time may be considered to have been unorganized, so far as respects those portions of it which were afterwards included within the limits, and under the jurisdiction of that Yearly Meeting. They were not, strictly speaking, members of any Yearly Meeting. In the early visits of the ministers of the society to this country, in the accounts they have given us of their labours, frequent mention is made of the holding of what they called *Yearly Meetings*. Thus John Burnyeat in his journal says, "and in Second-month, [1672,]"

I appointed a meeting at West River, in Maryland, for all the Friends of the province, that I might see them together before I departed; for I was determined to go as soon as I could after that meeting: and when the time appointed came, and Friends from all parts began to come, George Fox and several Friends came from Jamaica, and landed at Patuxent, and from thence came straight to the meeting, and there were Friends from all parts of the province where they dwelt: and we had a very large meeting, which did continue for several days; and a men's and women's meeting for the settling of things, that men's and women's meetings might be established in the province, according to the blessed order of the gospel of Christ Jesus, which Friends, by the power thereof, were gathered into in many places." This meeting was called the Yearly Meeting of West River, and George Fox, in his journal, after speaking of it, says, "after this we went to the cliffs, where another general meeting was appointed, and again, "to this meeting many came, who received the truth with reverence; we had also a men's meeting and a women's meeting; many of the backsliders came in again, and several of those meetings were established for the taking care of the affairs of the church." These meetings, though styled Yearly Meetings, were of a very different character from those which are now denominated by that appellation. Of this description, the Yearly Meeting of Burlington appears to have been the first which convened in conformity with a recommendation issued from the Monthly Meeting of Burlington, held at the house of John Wolston, the 22d day of Third-month, 1681: the minute is as follows, viz: "It was then agreed, that it be recommended to Friends that a general or Yearly Meeting may be held at Burlington the 28th day of Sixth-month, next following." The minutes of this general meeting for 1681-2 and 3, are preserved: 1684 are lost—from their minutes it appears, that it was a meeting of the description I have alluded to. There is one minute, however, which goes to show that even at that early period, it was not considered that inferior meetings had a right to attach themselves to what superior meetings they might please, without the consent of those to which they regularly belonged; and that no newly constituted meeting could include within its jurisdiction, and as a constituent branch of it, meetings previously attached to other superior meetings, without the consent of the latter. The minute is as follows: "It was agreed that Henry Willis and John Bowne be desired to request Friends on Long Island, and Rhode Island, and Shrewsbury, that they will give consent that Shrewsbury meeting for the future, may belong to the Yearly Meeting at Burlington." At the ensuing Yearly Meeting of Burlington, the following minute occurs,—"It is generally agreed by Friends of Long Island and Rhode Island, that Friends of Shrewsbury meeting shall from henceforth belong to our Quarterly and Yearly Meetings." A similar Yearly Meeting to the one in Burlington appears to have been held in the city of Philadelphia. In an introductory epistle to the minutes of Philadelphia Yearly Meeting, written by Phineas Pemberton, about the year 1700, he says—"But afterwards it pleased the Lord to allot the province of Pennsylvania in the year 1681, to our valuable Friend William Penn; whereby our portions of land and inheritance in these parts were greatly enlarged, many Friends becoming purchasers under him; so that by the latter end of the year 1682, considerable settlements were made in the said province, and divers meetings established; and in a short time, Monthly, Quarterly, and Yearly Meetings were appointed in that pro-

nce, to wit: Yearly Meetings in *both* the said provinces [Pennsylvania and New Jersey, of which he has before spoken,] were held distinct, until the year —, when Friends well knowing that the interest of truth and the prosperity thereof, was laboured for by its friends and followers in both the said provinces, and that by uniting the said two meetings together, they might thereby be the more strengthened in carrying on the affairs of the church, it was agreed, therefore, that the said Yearly Meetings should become one meeting, to be held one year at Burlington, in west Jersey, and the other year at Philadelphia, in Pennsylvania, and so annually to continue in that course." The prospect of establishing this new Yearly Meeting appears to have engaged the attention of the general meeting in Burlington, and of that in Philadelphia at the same time. The minute of Burlington general meeting, held in 1683, on the subject, says, "whereas this meeting has judged it requisite for the benefit and advantage of truth, and the mutual comfort of Friends, that a general Yearly Meeting might be established for the provinces in these parts, northward as far as New England, and southward as far as Carolina, that by the coming of Friends together from the several parts where the truth is professed, the affairs thereof may be better known and understood; to the end, the same may be assented to by Friends in those parts and places as above mentioned;" a committee was appointed to write, or take such other methods as they might apprehend needful to ascertain the sense of Friends. The general meeting of Philadelphia also wrote an epistle in 1684 to Friends of New England, Maryland, Carolina, &c. in order to obtain their consent to the establishment of the proposed Yearly Meeting. This epistle was received by Friends of New England and Maryland, and the proposal it contained, appears to have been assented to by both. Upon receiving which assent, to wit: in the year 1685 it was agreed to establish such a Yearly Meeting. The time and place of its convening was settled, as also the convening of the ministers previously thereto: which is the earliest evidence of the establishment of Yearly Meetings of ministers. From this time, the meeting takes an entirely new title, to wit: "At a general Yearly Meeting held for Friends of Pennsylvania, east and west Jersey, and of the adjacent provinces,"—whereas previously it had been simply, "a general or Yearly Meeting," held in Burlington or Philadelphia. The several minutes relating to the establishment of the Yearly Meeting, I have carefully copied from the record, and they are contained in this paper.

The said paper is offered in evidence on the part of the complainant and Stacy Decow, and by me marked Exhibit R 2.

Witness. The information which I have given in this answer has been derived from a recent and more thorough examination of the minutes in relation thereto, than I had previously had the opportunity of making.

Q. Does it not appear from the edition of the discipline of 1797, that the Yearly Meeting held in 1681, exercised the legislative function of making discipline, in these words: "Agreed that if any Friend have it in his or her mind to travel in the service of truth to any remote parts, that before they do so, they lay their concern before the respective Monthly Meeting which they belong to, in order to have the approbation of the same?" [Reading from a book.]

A. There is a recommendation of that kind contained in the book of discipline which the counsel alludes to, and with that date attached to it. At that early period the society in these parts being, as I have be-

fore stated, unorganized, and strictly speaking, members of no Yearly Meeting as those which now exist, they doubtless found it requisite to issue such a recommendation to their members.

Q. Has not the Yearly Meeting generally used the language of recommendation, or agreement, in adopting discipline?

A. It has frequently done so; but not always.

Q. If representatives first attended the Yearly Meeting in 1687, were the prior Yearly Meetings held without representatives?

A. The general meetings at Burlington and Philadelphia having made proposals for establishing the Yearly Meeting for Pennsylvania, New Jersey, and the parts adjacent, in 1683 and 4, and answers not being received stating the consent of the other Yearly Meetings until 1685, the meeting could not of course issue directions for the appointment of representatives until the assent was received, and the meeting concluded to be established. In 1686, it being fully concluded to establish it as proposed, it did accordingly issue instructions to the Quarterly Meetings to send up representatives to the next Yearly Meeting; and until those representatives attended the meeting, would not be considered fully organized according to its present constitution. Previous to that time, there is no evidence on the minutes of representatives having attended.

Q. Until its complete organization, you suppose it to have been then in a state of gradual formation by the assemblage of the members without sending representatives from their meetings?

A. Its establishment must of course have preceded its thorough organization; the conclusion to establish it was come to in 1685, and its organization completed in 1687. But I do not perceive how the term "gradual formation" can be applied to it.

Q. Does it not appear by the 1st vol. of Chesterfield Monthly Meeting records, [Exhibit No. 49,] that in that Monthly Meeting held second of Seventh-month, 1686, there is this minute: "Mahlon Stacy and William Biddle is appointed to attend the next Yearly Meeting at Burlington?"

A. Yes, it does so appear: there is such a minute. And as there was no rule issued by the Yearly Meeting at that time on the subject, it is probable that Monthly Meetings acted according to their own discretion—but it does not appear that they were appointed in the character of representatives. Nor is there any evidence, of which I have any knowledge, that after the Yearly Meeting did issue instructions that representatives should be sent from each Quarter, that any Monthly Meeting made such an appointment.

Q. Does it not appear from the following minutes of Falls Monthly Meeting of Bucks county, that Monthly Meetings were directed to send persons to attend the Yearly Meeting, and that this Monthly Meeting did so, accordingly, viz: third of Seventh-month, 1684: "whereas it was ordered at the Yearly Meeting, that two from every Monthly Meeting should be ordered to attend the Yearly Meeting; this meeting doth order that William Biles and Phineas Pemberton, do accordingly take care to give their attendance at the Yearly Meeting for this Monthly Meeting"—and in Seventh-month, 1685: "This meeting doth order that Richard Hough and Phineas Pemberton, do take care to attend the Yearly Meeting at Philadelphia"—and first of Seventh-month, 1686: "Richard Hough and Joshua Hoops, are by this meeting appointed to attend the Yearly Meeting."

A. These cases are all prior to the rule adopted by the Yearly Meeting in the year 1686, and the order of the Yearly Meeting, which is referred to in the first minute above quoted, is previous to the establishment of the Yearly Meeting for Pennsylvania and New Jersey, etc.; of course it is inapplicable to it.

Q. From the following minutes in the Monthly Meeting book of New-Minna, does it not appear that both before and after the year 1685, the Monthly Meeting sent persons to attend in its behalf in the Yearly Meeting, viz: second of Seventh-month, 1684; "it is ordered that Nicholas Wain and Thomas Atkinson attend the Yearly Meeting"—and second of Seventh-month, 1686, "at our said meeting, it is ordered that Nicholas Wain and Robert Hall attend the Yearly Meeting at Burlington"—and first of Seventh-month, 1687, "at our said meeting, Thomas Langhorne is desired to attend the Yearly Meeting at Philadelphia, which he hath he intends to do?"

A. All those instances, except the last, are previous to the rule of discipline already referred to, requiring them to be appointed from the Quarterly Meetings. And I presume that in the last instance, the appointment must have proceeded from the circumstance of the Monthly Meeting not having received the direction of the Yearly Meeting, that its representatives should be appointed from the Quarters; and I am confirmed in this, from the circumstance that in the minutes of the Falls Monthly Meeting from which a quotation has been made after the last instance of the appointment of persons in that Monthly Meeting to attend the Yearly Meeting, and under date of sixth of Eighth-month, 1686, there is the following minute: "The Friends appointed to attend the Yearly Meeting do say, it was there agreed that two Friends from each Quarterly Meeting should attend the Yearly Meeting next, and so continue till further order." And it is evident, I think, from the circumstance of these Monthly Meetings having appointed representatives to attend the Yearly Meeting or general meeting, that it was a meeting of different character and constitution from the one established in 1685.

Q. Does this edition of the discipline, 1797, under the head "Meeting for Sufferings," contain an account of the establishment of that meeting?

A. It appears to contain some minutes of the Yearly Meeting in relation to the establishment and continuance of that meeting, but I am unable to say whether they are the whole or not. Its constitution, however, was amended and adopted by the Yearly Meeting in 1806, and under which it has acted since that time, does not appear to be included in these minutes.

The said book of discipline, printed by Samuel Sansom, jr., Philadelphia, 1797, is offered in evidence on the part of the complainant and by Decow, and by me marked Exhibit S 2.

Question. Do not the following minutes of the Yearly Meeting, also in what manner the Meeting for Sufferings was constituted, and issued from year to year, viz: "1757, the minutes of the Meeting for Sufferings having been read, and after consideration of the divers affairs which have been under their care, it appearing that

been transacted to general satisfaction, it is unanimously resolved that the said meeting should be continued, and that the Friends elected by this meeting last year, be continued members of that meeting in conjunction with those chosen by the several Quarterly

Meetings, shall be, and continue, 'the Meeting for Sufferings,' until respective Quarterly Meetings shall nominate and appoint others in rooms or places of those chosen by them last year." And Yearly Meeting of 1758, "James Pemberton, on the behalf and by the direction of the Meeting for Sufferings, laid before this meeting, the minutes of said meeting the year past; and at the request of this meeting read same over, by which it appears, the divers weighty affairs which have been under their care, have been attended to with diligence and care and transacted fully to the satisfaction of this meeting, as the sentiments of Friends now generally expressed do manifest; and it is, therefore, unanimously agreed that the said meeting be continued, and that twelve Friends nominated by this meeting, together with those appointed by the several Quarterly Meetings, do constitute the said meeting and the Quarterly Meetings appoint others in the rooms of any of them." In 1759, after the reading of the said minutes in the previous year, "the meeting appeared to be well satisfied therewith, and agreed that the meeting be continued as at present constituted, reserving to each Quarterly Meeting, the right of changing any of the members in the place where they were respectively nominated." And in 1760, after reading the minutes of the Meeting for Sufferings, "They appear to have been diligent in the business under their care, and to have transacted it generally to satisfaction; and it is agreed, that the said meeting be continued as it is now constituted, reserving to the Quarterly Meetings the right of changing any of their members when they think proper." And in 1761, "The minutes of the Meeting for Sufferings for the year past being read before this meeting, were by direction read over, and Friends expressed their satisfaction with the proceedings thereof, and agreed to continue the said meeting in the same manner it is now constituted, reserving to each Quarterly Meeting their privilege of changing any of their representatives when they may think proper." And in 1762, "The consideration of the minutes of the Meeting for Sufferings being resumed, the proceedings thereof approved, as the establishment of that meeting hath been experienced to be of singular service, it is agreed that the said meeting be continued, under the same limitations, and reserving to the Quarterly Meetings the same privileges as expressed in the first constitution thereof." And in 1763, "The minutes of the Meeting for Sufferings for the year past being read over and the proceedings approved it is agreed, that the said meeting be continued as expressed in former minutes." And in 1764, "Agreed to continue the Meeting for Sufferings, as expressed in former minutes; and experience having shown the use and service from the institution of that meeting, and that there is a necessity of its being duly attended by the members thereof, where there is an apparent neglect of any member nominated by the Yearly Meeting to the said Meeting for Sufferings, is authorized to appoint other Friends in the room of such, if after seasonable admonition, they continue neglectful or decline attending, and to acquaint the Quarterly Meetings respectively, where they observe any nominated to represent them continue neglectful of giving proper attendance, in order that such Quarterly Meeting may appoint others." And in 1765, "The minutes of the Meeting for Sufferings for the year past being read, and the proceedings thereof approved, it is agreed to continue that meeting, on the terms of its first establishment, and former minutes. And in 1767, "On consideration of the proceedings of the Meeting for Sufferings, this meet

approbating the same, agrees that the meeting be continued according to its original institution," &c. And in 1768, the last that I find upon the subject from the extracts I have been able to obtain, the minute is thus: "The proceedings of the Meeting for Sufferings for the year past being read and approved, it is agreed to continue that meeting agreeable to former minutes, until this meeting may think it necessary to direct the contrary?"

A. From the establishment of the Meeting for Sufferings in 1756, up to the year 1768, minutes were made every year, continuing the Meeting for Sufferings; but in that year it was created a permanent body, under the constitution formerly adopted. In the year 1806 the same power, to wit: the Yearly Meeting which at first created the Meeting for Sufferings continued it from year to year, and in 1768, constituted it a permanent body, and which had the sole power of making or altering discipline, amended the constitution under which it acted, and adopted for its government that which is contained in the book of discipline printed in 1806, page 54 to 57 inclusive. The fourth section of which is, "In case of the decease of any Friend or Friends, nominated either by the Yearly Meeting or Quarterly Meetings, or of their declining or neglecting their attendance for the space of twelve months, the Meeting for Sufferings, if it be thought expedient, may choose others in his or their stead, to serve till the time of the next Yearly Meeting, or till the places of those who have represented the Quarterly Meeting shall be supplied by new appointments." From which, as well from as the established usage of the society, it is apparent that the only change contemplated, is in case of the decease of any of the members, or their declining or neglecting their attendance.

Q. The new constitution, necessarily supersedes and abrogates the old one.

A. In any of the editions of the discipline, successively established in 1704, 1719, 1762, 1797, or 1806, is the Second-day morning meeting of Philadelphia, which you say was authorized by minute in 1701, recognized?

A. I have not examined any of those editions, excepting the last spoken of by the counsel, on that subject, and am, therefore, unable to speak respecting them. There is nothing said on the subject in the discipline printed in 1806, because the meeting was discontinued in that year, I think. But it is not necessary to the regular establishment of a meeting, that it should be mentioned in the discipline; their being the conclusions of the Yearly Meeting, which are not recorded there. Have not all other meetings of the society been established or recognized by its discipline?

A. I think not. They have been established by the regular meetings deriving authority to create them.

Q. Where would the regular meetings derive authority to create them, from the discipline?

A. The authority to create meetings, is of course derived from the discipline; but the establishment of each meeting is not entered in the discipline.

Q. The meeting established then, would be authorized by the discipline?

A. It would be established under the authority of the conclusions of the Yearly Meeting, which are the discipline.

Q. If all the disciplines established in 1704, and since, were silent in

respect to that Second-day morning meeting, would they abrogate the minute of 1701, by which you say it was authorized?

A. The Second-day morning meeting being established by the Yearly and general spring meeting, was continued for about one hundred and four years, and finally abrogated, or laid down by the Yearly Meeting itself.

Q. If it required an express act of the Yearly Meeting to lay down that meeting, the silence of the former disciplines not being sufficient to do it by implication, would it not be equally reasonable to suppose that express language of discipline would be necessary to take away the right of the Quarterly Meetings to change their representatives in the Meeting for Sufferings, so often recognised and affirmed by the minutes of the Yearly Meeting?

A. There does not appear to me, to be any analogy in the cases. The Yearly Meeting set the Second-day morning meeting up, and the Yearly Meeting laid it down. And if it had declared independence, and persisted in holding the meeting in defiance of the judgment of the body which created it, it would have been parallel so far, to some cases that have recently occurred. As regards the Meeting for Sufferings, it is evident that the minute of 1768, changed the character of that body, and that instead of being continued from year to year, it became a permanent appointment.

Adjourned until 10 o'clock to-morrow morning.

Wednesday morning, April 13, 10 o'clock. Cross-examination of Thomas Evans continued.

Question by Mr. Price. The minute of 1701, you say, was made by the Yearly and general spring meeting; that is not the title you gave us of the "Yearly Meeting?"

A. No, it is not the same title, nor the same meeting. It was a meeting held in the spring and fall of the year and which at that early period, and for a considerable time after, frequently exercised the functions of a meeting for discipline.

Q. Does it not appear from the introductory minute of the records of Burlington Monthly Meeting, which have been produced this morning, in obedience to my call, that Monthly Meetings were originally established by the Friends who were to compose them, and preceded Quarterly and Yearly Meetings; that minute being in these words, viz: "since by the good providence of God, many Friends with their families have transported themselves into this province of west New Jersey, the said Friends, in those upper parts, have found it needful, according to the practice in the place we came from, to settle Monthly Meetings; for the well ordering the affairs of the church, it was agreed that accordingly it should be done, and accordingly it was done the 15th of Fifth-month, 1678?"

A. The circumstances of the infant society in the province of west Jersey, as I have before stated, were peculiar. They had left their own country and settled in a new one, where the inhabitants were very thinly scattered, and where they were separated so far from any other portion of the society, and travelling was so extremely difficult, that they were almost entirely isolated. And as an order had been established in the society in their own country before they left it, as regarded marriages the care of the poor—ministers travelling on religious visits, and other

matters relating to the internal economy of the society, and as their situation would of course render the same order necessary, particularly as respected marriages, they did establish and hold Monthly Meetings; and those meetings exercised the legislative function, spoken of by the counsel yesterday, so far as to adopt many of the regulations which had been in force in their own country for the government of the society. But after the organization of the society in Pennsylvania and New Jersey, and the adoption of a regular code of discipline by the Yearly Meeting, meetings could only be instituted according to the provisions of that code, and agreeably to the regular order established by the Yearly Meeting.

Mr. Brown. There has been a disposition on the part of the counsel for Joseph Hendrickson, in this cause, so far as he had power to do so, to furnish the adversary counsel with all records of the society that might be called for: and when the call alluded to by *Mr. Price* yesterday, was made in October last, for the records of Burlington Monthly Meeting, the clerk of that meeting was immediately requested to cause them to be forwarded here; I do not recollect that since that time, *Mr. Price* has signified his wish to use them, till yesterday, and they are now here. I hope, therefore, that the adversary counsel will withdraw those observations of his, entered, at his request, on the examiner's minutes yesterday, which seemed to insinuate that there was any unwillingness on our part to produce those records.

Mr. Price. I have only to say, that my notice to produce those records was recorded by the master in October last; that I then mentioned to the clerk who had them in charge, that I should want them here; that during last week, (*Mr. Brown* being then absent,) I publicly declared to *Mr. Sloan*, and those who were aiding him in this examination, that they would be likely to hear from me, if they did not produce them; that I personally mentioned to Samuel Craft, when about to leave here last week, and return home by way of Burlington, as I supposed, that they would be wanted; that yesterday morning, I made the observation which was recorded, when *Mr. Brown* promptly offered to send for them, and did send for them, alleging that there was no design in keeping them back, and that the clerk did produce them here this morning, alleging the same thing.

Q. Does not the following introductory minute of the Falls Monthly Meeting in Bucks county, also indicate the manner in which Monthly Meetings were set up in the early settlement of the country: "At a meeting at William Biles' house, the Second-day of Third-month, 1683, then held to wait upon the Lord for his wisdom, to hear what should be offered, in order to inspect into the affairs of the church, that all things might be kept therein sweet and savoury to the Lord; and by our care over the church, helpful in the work of God; and we whose names are as follow, being then present, thought it fit and necessary that a Monthly Meeting should be set up, both of men and women, for that purpose, and that this meeting to be the first of the men's meetings after our arrival in these parts. The Friends present, William Yardley, James Harrison, Phineas Pemberton, William Biles, William Dark, Lyonell Brittanie, William Beaks?"

A. I presume, that in the early stages of the society, this was the mode in which Monthly Meetings generally were established, both in England and America, no code of discipline having then been adopted: as the society increased in numbers, they soon found the necessity

of adopting some regulations for the government of the members, and hence arose the institution of discipline. This discipline was brought to its present state by successive enactments in the Yearly Meeting, pointing out not only rules for the general conduct of the members, but also the mode in which meetings for discipline should be instituted, and their business transacted. Individuals were not then left to set up meetings when and where they pleased, but were obliged to have the consent and judgment of pre-existent and superior meetings.

Q. Do the following entries appear on the Burlington records now produced: "At a general meeting held in Burlington, the last day of Sixth-month, 1681, in the house of Thomas Gardiner, it was then mutually agreed that a women's meeting should be established; it is also generally agreed, that the next general meeting be held in Burlington, upon the first day of Seventh-month next ensuing the date hereof;" and in addition to the discipline under that date, quoted yesterday, the following made: "It is ordered, also, that each Monthly Meeting do appoint two persons to follow reports, in order to find out the reporter, and to minister justice upon all such reports that may tend to the defamation or slander of any Friend or person, and also such reports that may be spoken out of Friends' men and women's meetings, etc."—"It is ordered, that if any difference do arise betwixt any two persons that profess truth, that they do not go to law, before they first lay it before the particular Monthly Meeting that they do belong unto."

A. Such minutes do appear on the records of Burlington Monthly Meeting, as the conclusions of that general meeting; and the discipline, as the counsel calls it, consists of regulations which had been previously adopted in England, and enforced there before the settlement of Friends in New Jersey. I observe also, that similar conclusions were come to by the Monthly Meetings.

Q. Through what period of time does the first volume of the Yearly Meeting records to which you have had access, in Philadelphia, extend?

A. I am not entirely positive as to the year, but I believe it is from the commencement to 1746, or thereabouts.

Q. That is, you mean from 1685?

A. It contains some of the minutes of the general meeting at Burlington, and of the Yearly Meeting for Pennsylvania, New Jersey, and the adjacent provinces, from 1685, with the exception, I think, of 1693.

Q. Do those of 1693 appear to have been torn from the book, or never entered?

A. Blank leaves are left for the purpose of transcribing them into the book. There is no appearance of any thing having been torn from the book, but it is in a state of very fine preservation.

Q. You gave the substance, in part, of the minute of 1714, first authorizing the appointment of elders,—is not the whole of that minute in the following words: "This meeting agrees, that the Quarterly Meeting do recommend to each Monthly Meeting within their respective limits, that they choose two or more Friends out of each Monthly Meeting, where meetings of ministers are or shall be held, to sit with the ministers in their meetings; taking care that the Friends chosen for that service, be prudent, solid Friends, and that they do carefully discharge their trust in such matters, and in such manner as the Monthly Meeting shall, from time to time, see occasion to point to them?"

A. I did not attempt to quote from the minutes in what I said upon

that subject, but merely to allude to the appointment of elders, to show how the title of select meetings became changed from "meetings of ministers" to "meetings of ministers and elders:"—Whether this is a correct copy of the minute of the Yearly Meeting, I am unable to say. I observe, however, that the substance of it is embraced in the book of discipline, printed in the year 1797; and in the book of discipline as revised and established by the Yearly Meeting in 1806, the language is changed thus: "This meeting agrees that each Monthly Meeting choose two or more Friends of each sex, to sit with the ministers, and they together to compose a meeting to be denominated a "Preparative Meeting of ministers and elders," taking care that the Friends chosen for that service, be prudent, solid Friends, and that they do carefully discharge the trust confided to them." And the alteration appears to me to be made on very good grounds. If an elder was to be considered under the necessity of consulting the Monthly Meeting every time he thought it right to extend admonition, or advice, or reproof to a minister, it is obvious, that the benefit of private labour must be lost entirely; the advantages of such a station as eldership frustrated, and the ministry brought into disrespect.

Q. You have had copied into the testimony all the special adjournments of the Yearly Meeting, which you have noticed, except that of Ninth-month, 1798; is not this a copy of that minute, under the signature of Jonathan Evans, clerk, viz: "At a Yearly Meeting held in Philadelphia the 24th of Ninth-month, 1798; having been favoured with the life-giving presence of our holy head and high priest, we have been drawn into a good degree of fellowship one with another, and sympathy with our absent brethren; divers weighty observations being made, and precious truths revived; the feeble representation of the body, the state of the city, and the still more important consideration of preserving brotherly union, have led to a belief, that it may be safe and right to adjourn the business of the meeting to the 10th day of Twelfth-month next, and the meeting of ministers and elders on the Seventh-day of the week preceding, to meet at the usual hour, if consistent with the will of the master of our assemblies; the clerk being directed to transmit copies of this minute to the respective Quarters."—Extract from the minutes, Jonathan Evans, clerk?

A. I had prepared a copy from the minutes of the Yearly Meeting, which I intended to produce and find, that the quotation made by the counsel is correct.

Q. Was that copy made at my request, after noticing the omission in your examination in chief?

A. I think the circumstances were these:—The counsel remarked, during the course of my examination in chief, that he should like to have a copy of the minute of adjournment, from Ninth to Twelfth-month, 1798; to which I answered, that I would prepare such a copy; observing, that the reason I had not prepared it was, that the extracts I made related only to a change in the time or place of holding the Yearly Meeting; and that this minute related only to an incidental circumstance, arising out of the prevalence of a contagious disease in the city, in Ninth-month, the period at which the Yearly Meeting regularly assembled, to this effect. I accordingly prepared a copy the same according to some of your extracts, the Yearly Meeting on the First-day of the week, is it likely that after the mi

last century the whole body assembled on that day at the usual place for holding the Yearly Meeting?

A. The meetings for discipline of the Society of Friends were usually preceded by meetings for worship: which formerly lasted a much longer time than has recently been the case. The whole period, however, at which the meeting was held, whether for worship or discipline, was included in the general term of Yearly Meeting, Quarterly Meeting, or general meeting. I should think it probable, that a large portion of the members would assemble on that day, in order to attend those held for divine worship. But whether every individual member who attended on the other days of the week, would be there on the First, it is impossible for me to tell.

Q. My idea is, whether those who did attend in the city, would on that day assemble at the Pine street house, when the Yearly Meeting was adjourned to meet there on that day; or whether they would not divide and go to all the places of the society in the city, open for worship?

A. The matter will be more clear if I state, that in the establishment of the Yearly Meeting in 1685, it was agreed to be held on the first First-day of Seventh-month, O. S.; and to continue, First, Second, and Third-days of Seventh-month, *for worship*; and Fourth-day to be for the men's and women's meetings. As the business of the meeting increased, they found it necessary to occupy *more* of the week for business, and *less* for worship; and about the year 1755, business commenced by order of the Yearly Meeting on Second-day of the week; and I observe in one of the papers of extracts from which the counsel quoted yesterday, in 1756, the following words: "It is concluded that the meeting for business next year, should begin as it now did, on Second-day morning, at ten o'clock." As the fever prevailed in the city of Philadelphia in 1798, to a very awful degree, there were comparatively few Friends who came from the country to attend the Yearly Meeting; and they would probably attend on First-day such meetings for worship as they thought least exposed to danger, or where they apprehended religious duty required them to go.

Q. Does it not appear from this Falls Monthly Meeting book, that in Twelfth-month, 1689, "It is agreed that our next Monthly Meeting be at Richard Hough's house," and that it met the next month at William Biles's house?

A. There does appear to be such a record: and it also appears from the same record, that at that period and for some considerable time after, that meeting was held at private houses; from which it may be presumed that they had no meeting house to assemble in: and of course the place of meeting could not be considered as regularly established, as I find it circulated from house to house through all the neighbourhood, until the sixth day of Second-month, 1692, when it was first opened in the meeting house.

[NOON.]

Question. Does it not appear from the same book that there are several other instances of the Monthly Meeting convening at a different place from that adjourned to?

A. Yes, it does appear so.

Q. You have been questioned, and the records of Burlington Quar-

y Meeting referred to, to show that frequent application had been made to that Quarterly Meeting in respect to repairs, and other matters relating to property; does it not appear from the ancient record of Chesfield Monthly Meeting, that it purchased lots and built meeting houses without such application?

A. There are minutes on the record of that Monthly Meeting which have been examined, by which it appears that a lot was purchased, and a meeting house built, under the direction of that meeting, and no mention is made of an application to the Quarterly Meeting.

Q. Though we have not now here the records of that Monthly Meeting, since 1797, does it not appear from the book of records between 1793 and 1797, that that meeting repaired, erected additional accommodations, collected its own rents, &c. without applying to the Quarterly Meeting?

A. The book of records referred to, contains several minutes, from which it appears that that Monthly Meeting directed various repairs to be done to the fences and other appurtenances to the meeting house, and collected the rents of what is there called the old meeting house; and there is no mention made of any application made to the Quarterly Meeting for that purpose.

Q. You have been questioned as to divisibility of the property of a meeting; if one meeting is divided into two or more, is it not competent for them to divide among themselves the property which had belonged to them as one meeting?

A. Where a meeting is set up in the order of society with the assent of the meeting from which its members are to be taken, and also of the requisite superior meeting, it has frequently happened that the permanent funds of the meeting from which it is set off have been divided with the new meeting, in such manner as should be agreed upon. But this does not apply to any meetings set up out of the order of the society, and contrary to its provisions; or to meetings composed of persons who are not members of the religious Society of Friends.

Q. You say, it has been the general understanding that the society is considered as one great whole, in respect to property as well as discipline, and seemed to embrace different Yearly Meetings in your view: your Yearly Meeting, held in Arch street, should cease to be in correspondence with the London and other Yearly Meetings, would your meeting cease to own the property they are possessed of?

A. The Society of Friends is a body of christian professors, holding certain doctrines, and governed by certain rules of discipline. The property belonging to it is held for the use of that society, or of the meetings which constitute its integral parts. If the Yearly Meeting of Philadelphia should reject and deny the doctrines held by the Society of Friends, or in any other way so obviously depart from its characteristic principles, as that other Yearly Meetings should declare that it is no longer in unity with the Society of Friends, and that it did not hold its principles and doctrines, as the property which had belonged to that Yearly Meeting, was given to, and held by it as the Society of Friends, it would of course cease to have a just right to that property; inasmuch as it would no longer be that society to whom the property was given, and to whose use it was held.

Q. What Yearly Meeting would fall then to the

circumstances; but to suppose a question contrary to common experience, and require a witness to draw inferences as to what or might not, happen from such premises, appears to me to be an unreasonable requisition. The Yearly Meeting of Philadelphia is owned and acknowledged in its doctrine and practices, by all the Meetings of Friends; and so long as it adheres to the doctrines and practices of the society, as it has hitherto done, so long the society doubtless, own it as one of its constituent branches.

Q. Does it hold the title to its property, on the condition of its acknowledgment by other Yearly Meetings; or is that only a circumstance in proof of its being what it professes to be?

A. It holds its property in virtue of its being a part of the Yearly Meeting of the Society of Friends; and when it ceases to be that society, that fact of course vitiates their title.

Q. You have several times said that the Meeting for Sufferings give its advice and *direction* in respect to matters of property; is that the language of the discipline, *advice* and *assistance*?

A. The language of the discipline, in one instance, is to give advice and assistance, and in another instance, "to give such advice respecting the same as may appear to be necessary;" but it is a matter of indifference as to the form used in expressing it, the fact of meeting being obliged to ask for such advice, necessarily implies that they are to follow it when it is given.

Q. Is not that idea rather a perversion of the term advice?

A. I think it is not; and to suppose that a religious assembly, as they believe, under divine influence, would solemnly adopt a resolution requiring inferior meetings to ask the advice of superior meetings and at the same time leave inferior meetings at liberty to disregard that advice, would not only be imputing to them great hypocrisy, but would open the door to the entire disruption of all order in the society, and to the introduction of a state of anarchy.

Q. Can the Meeting for Sufferings compel a meeting of the society to follow its advice?

the proper meeting, the requisite care would be extended for the due support of the discipline.

Q. This would not then be done by the Meeting for Sufferings itself?

A. A case in which the advice of the Meeting for Sufferings has been rejected under such circumstances, has not occurred within my knowledge: but I should presume the course would be for the Meeting for Sufferings to represent the case to such meeting as the circumstances would render proper; and for that meeting to extend the requisite care.

Q. When was Green street Monthly Meeting arraigned before the Quarterly Meeting, upon that charge for which it was, as you consider, laid down?

A. The term "arraigned" is not applicable to the case: the Monthly Meeting of Green street declared itself by its own minute insubordinate to that Quarterly Meeting, which, by the discipline, it was bound to be in subordination to; and by the previous acts of its members, as well as by their declarations in the face of the Quarterly Meeting, they openly rejected its counsel and authority: hence, when the Quarterly Meeting appointed a committee to visit the Monthly Meetings, and that committee attended Green street, and offered such brotherly advice and counsel as they thought proper, I was myself a witness for several months, of its being treated with either scorn or contempt, and of repeated declarations that they would receive no advice or counsel from the Quarterly Meeting, nor be in subordination to it. The Monthly Meeting accused itself to the Quarterly Meeting of this insubordination, by a minute dated in Fourth-month, 1827, in which it declared its resolution, in violation of all order, and of the provisions of the discipline, to dissolve that link which bound it to the religious Society of Friends; to wit: its connexion with the Quarterly Meeting of Philadelphia, of which it was a constituent branch.

Q. Was it laid down as you consider, at the same Quarterly Meeting, at which that information was received?

A. Yes, it was. It had previously rejected every attempt at labour with it, and entirely closed up the way by its own acts, for that brotherly advice and counsel, which, had it been disposed to receive it, might have preserved it in the bosom of the society.

Q. Was Abington Quarterly Meeting a meeting of the Society of Friends?

A. It was; but owing to the spirit of insubordination and revolution, produced by the unsound principles which had been disseminated in the Society, many of its members had thrown off the restraints of the discipline. They received the Monthly Meeting of Green street, contrary to all previous usage in the society, and with an admission on the part of at least some of them, that the act was in violation of the discipline.

Q. Does it appear from the records, from which you have extracted the matter relative to Hempfield meeting, when it was set up, and what sort of a meeting it was?

A. The western Quarterly Meeting was set off from Chester, now Concord Quarterly Meeting, by the Yearly Meeting of Philadelphia in 1756, I think. Hempfield meeting appears to have existed previous to establishment of the western Quarter; the record of its establishment, before, is not to be found upon the minutes of that meeting, but from being required to report its state to Sadsbury Monthly Meeting, it seems as though it must have been a Preparative Meeting.

Q. Does the record mention it any where as such?

A. It does not make use of that term, I think, in speaking of it; but as no meetings report their state to Monthly Meetings except Preparative, I of course infer that it was such a meeting.

Q. How did you ascertain the numbers of the members which you have exhibited here?

A. In the city of Philadelphia I ascertained them from an inspection and careful enumeration of the names recorded in the lists of members belonging to the several Monthly Meetings in that city: those in the country meetings, from lists and statements made out by Friends belonging to the respective meetings, and certified by them.

Q. Of course then you included all you have not disowned, whether they attend your meetings or not?

A. No, we did not: so far as regards the city of Philadelphia, we took down the names of none who were known to be of the party who have separated from Friends, or who attended their meetings.

Q. Where did you place those who attend the meetings of neither party?

A. I am not aware of there being many such individuals included in the list; but if their absence from meeting was in consequence of an attachment to those who have seceded, we placed them on that side. The rule which governed us in making out that list was, who were, and who were not of that party.

Q. And how did you know their sentiments?

A. There were several persons consulted in making out the enumeration; and we found little difficulty in ascertaining by inquiry the standing of each individual, as regarded that subject.

Q. Do you know whether those who made the lists in the country observed the same rule that you did?

A. I do not; but from the highly respectable character of the individuals who forwarded the lists, I have no doubt the enumeration was faithfully taken.

Q. At about what period?

A. Some were taken earlier than others: but they all include the number of members at the time of the separation; and placing with the seceders all who have since left the society and joined them, as nearly as can be ascertained.

Q. At what time was the enumeration of the Philadelphia Quarterly made?

A. In the city of Philadelphia it was made, I think, in 1829. In the country meetings it has been made out within a few months past.

Q. Do you know whether it was before or since the separation in Muncy and other remote Monthly Meetings?

A. In all the country meetings it has been taken since the separation in those meetings.

Q. Can you furnish a list of the representatives to the Yearly Meeting of 1827?

A. Yes. I made this out from the minutes myself. [Producing paper.]

The said list is on the following page, and marked Exhibit T 2, on the part of companion's copy below.

Question From your own experience in the task, how long would it

take to make a thorough examination of the records of the Yearly Meeting, and of the Meeting for Sufferings, from the beginning?

Answer. That is a very difficult question for me to answer; and would depend very much on the meaning attached to the word "thorough." But as there are six or seven folio volumes of large size, and containing a great deal of very interesting and instructive matter, a man might spend some months, I think, in perusing them; and if he were in proper disposition of mind, he would be likely to derive great advantage from it.

Q. Would he be aided in the pursuit of what was most interesting to him by indexes or marginal references?

A. There are neither to the minutes of the Yearly Meeting, and though one or more of the volumes of the minutes of the Meeting for Sufferings has an index, it is so imperfect that but little benefit could be derived from it.

Q. If used by me to make extracts for this cause, would it be likely to impose an additional burthen upon yourself, or some other interested friend to make counter extracts, and delay and increase this voluminous testimony?

A. There is so little in them which I think the counsel would consider applicable to his cause, that I do not apprehend the transcription of it would occupy much time, even if he should find any thing which he might apprehend would suit his purpose. As respects any assistance I could render, it shall be cheerfully accorded, so far as may be in my power.

Q. Are the ancient records of the society in frequent use in your meetings?

A. They are not frequently used in the meetings; but there is often occasion to refer to them for the purposes of the society.

Q. Could not the Meeting for Sufferings at some of its sittings since October last, have authorized the use of those records here?

A. I am not a member of the Meeting for Sufferings, and do not know whether the individuals who compose it would feel themselves warranted in giving such authority. But as those books were entrusted to the individual in whose charge they are for safe keeping by the Yearly Meeting, he might feel his responsibility to be so serious, as not to be disposed to incur the risk of placing them beyond his control, and the control of the Yearly Meeting, without its special authority and direction.

Q. Has not the Meeting for Sufferings authorized the institution of this and other suits, without the special direction of the Yearly Meeting?

A. I never heard that they authorized the institution of any suits.

Q. Was what you consider Chesterfield Preparative Meeting so regardless of what you consider the due subordination of the society, as to have taken so important a step as to direct the commencement of this suit without the advice and direction of the Meeting for Sufferings?

A. I have yet to learn that Chesterfield Preparative Meeting did direct the commencement of this suit.

Q. Since what time have your researches into those ancient records been made?

A. Principally since last autumn.

Q. Were they made in reference to what you apprehended might be useful in this cause?

ing to assist them in removing said obstruction." And in the minute of the western Quarterly Meeting held the 16th of Eighth-month, the following minute occurs: "a copy of the minute of the Seventh-month meeting of ministers and elders, was, by direction thereof, laid before this meeting, setting forth their concern for the situation of the Bradford Monthly Meeting, who have neglected to come up to the demands of the Yearly Meeting, in holding meetings of ministers and elders, and rendering a quarterly account of their state to the select meeting, which being read here seemed to require this meeting's attention, and the answer now received to the eighth query from the same Yearly Meeting, also manifesting a weakness, a concern arose, if possible, to afford them brotherly assistance; in pursuance whereof, this meeting appointed Thomas Carlton, [and others,] to visit Bradford Monthly Meeting, and advise and assist in whatever matters may in the wisdom of the Yearly Meeting appear to them necessary, for the strength of Friends there, and the promotion of our discipline amongst them, and make report of their proceedings to the next Quarterly Meeting." That committee was continued from time to time, and on the 15th of Eighth-month, 1763, presented a report to the Quarterly Meeting, when the following minute occurs: "the report being read and considered, this meeting apprehends the circumstance of that Monthly Meeting ought to be weighty on the minds of well concerned Friends, and it appearing doubtful to many whether they can in their present situation, properly transact the necessary business of that Monthly Meeting, and support our discipline to the reputation of truth, this meeting, therefore, concludes it necessary, to appoint Swithin Chandler, [and others,] further to visit and advise Bradford Monthly Meeting in the management of their business, to consider and report their solid judgment in writing to next meeting, whether it will be expedient that a Monthly Meeting be continued amongst them, or whether its being dissolved, may not be most reputable for the good cause." The case was continued by the Quarterly Meeting from time to time, till the 20th of Fifth-month, 1765, at which time the Bradford Monthly Meeting informed the Quarterly Meeting, "that they had appointed both men and women Friends as elders, who propose to hold their select meeting at Bradford meeting house, on the first day of the week following, first Second-day in the Quarterly Meeting-months, in order to render a regular account to the Quarterly Meeting of ministers and elders, the want whereof, was one of the first concerns of this meeting's care extended to them. An affectionate tenderness was felt in the minds of many Friends towards the condition of that Monthly Meeting, and hope seems to revive, that the testimony of truth may come to be further advanced among them, if the honest minded Friends are careful to exert themselves, in order that the various branches of our Christian discipline may be put in practice."

and being again cross-examined on the part of the complainant and Decow, saith, viz:

Question by Mr. Price. In respect to the statement of Burlington Quarterly Meeting, by Richard Smith, on behalf of the meeting of ministers and elders, is it to be understood that it was the Bethlehem Pre-vious Meeting of ministers and elders that had failed to forward reports of the state of the ministry?

The reports to the Quarterly Meeting of ministers and elders,

usually got up from the Preparative Meeting of ministers and elders, which consist of the ministers and elders belonging to a Monthly Meeting: but whether this was the case at that early period, I am unable to say; it seems, however, from the language of the minute, as though the complaint was made as regarding the Monthly Meeting itself—and further this affirmant saith not.

THOMAS EVANS.

Affirmed and subscribed at the house of William Ridgway, in Camden, in the county of Gloucester, this thirteenth day of April, in the year of our Lord one thousand eight hundred and thirty-one.

Before me,

J. J. FOSTER,
Master and Examiner.

Mr. *Brown* said, that he had given notice to the counsel for the complainant and Stacy Decow, to produce during the progress of this examination, before the examiner, the minutes, records and papers, belonging to the meeting held at Green and Cherry streets, Philadelphia, called by those who are designated in the bill and answer of Joseph Hendrickson in this cause, the Hicksite party, the Yearly Meeting of the Society of Friends held in Philadelphia, as affording the best legal evidence of the history and transactions of the said meeting, and now called on the counsel for the production of the said minutes and papers.

Mr. *Price* admitted the service of the notice, the beginning of last week, but alleged that he could not now produce the said minutes, nor during the present week, as the said Yearly Meeting was now in session and had them in use.

Mr. *Brown* wished to know of the counsel, whether they would be produced at a subsequent period, or whether the same privilege would be granted him or his client, Joseph Hendrickson, of examining them and making extracts therefrom, as has been extended to the said counsel and his clients, in reference to the records of the Yearly Meeting and Meeting for Sufferings; to which Mr. *Price* replied,—That expecting from the communications I have had with a number of Friends, to be able to produce those records, I did not think to ask for the permission referred to by the counsel; and if I get them hereafter, I am willing they should be considered as evidence in this cause. I consider records made since the separation, however, as standing upon a different ground from those made by the society as a united body. As to the offer made to me on the 5th instant, to inspect the ancient records of the Yearly Meeting, and Meeting for Sufferings, my constant occupation here has precluded the possibility of my availing myself of it. The lateness of the offer in answer to a call made last October, also deprived us of the advantage we expected from the use of those records while our witnesses were under examination. The restricted terms of the offer are also incompatible with the engagements of the counsel, and the qualifications of the immediate parties in this suit, who would have to spend weeks or months at the houses of the persons in possession of the records, before they could introduce a witness to compare and prove their extracts. In not accepting such offer in the restricted terms which our opponents have been pleased to impose, we do not consider ourselves in any degree as having waived our legal right to the production of the ancient records of the Society of Friends, as the best evidences of its practices, usages and history."

By direction of the parties in this cause, as well complainant as defendants, respectively, and their counsel, respectively, the examination of witnesses in this cause, is now closed: and it is also the mutual understanding and agreement of the said parties and their counsel, respectively, that no further witnesses be examined, and that no further exhibits be made, on either side.

Given under my hand, at Camden, in the county of Gloucester, aforesaid, this thirteenth day of April, in the year of our Lord one thousand eight hundred and thirty-one.

J. J. FOSTER,
Master and Examiner in Chancery.



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APPENDIX.

EXHIBITS REFERRED TO IN THE FIRST VOLUME.

Page 58. *Exhibit No. 1. Subscription for the School Fund at Crosswicks.*

be Subscribers, members of the Preparative Meeting of the people called Quakers, at Crosswicks in the township of Chesterfield, county of Burlington, in New Jersey, do hereby severally, for ourselves and our heirs, promise to pay (on demand in specie, at the rate as it now passes) unto Samuel Middleton, Treasurer of the School at Crosswicks, begun and set up by and under the care of the Preparative Meeting of Friends at Crosswicks aforesaid, on the twenty-seventh day of the month of November, one thousand seven hundred and ninety-two, (1792,) or to his successors in office, the sum of money severally by us written against our names with interest therefor, after the rate of five pounds for the hundred by the year, the principal whereof so subscribed is to be and remain a permanent fund under the direction of the trustees of the said School, now or hereafter to be chosen at the said Preparative Meeting, and by them laid out, or lent on interest in such manner as they shall judge will best secure an interest or annuity, which interest or annuity is to be applied to the education of such children as now do or hereafter come under the care of the said Preparative Meeting, whose parents are not or shall not be able to pay for their education; and in case the whole, or any part thereof, shall not be wanted for such purpose, then and in that case, the said interest or annuity, or such part thereof as shall not be so wanted, is to be applied to such other purposes as the said School or Schools, now or hereafter to be erected by the said meeting, or the said trustees now or hereafter to be appointed, or a majority, to consist of not less than five of them, shall think will best answer the design of the institution.

	<i>l.</i>	<i>s.</i>	<i>d.</i>		<i>l.</i>	<i>s.</i>	<i>d.</i>
Bunting,	20	0	0	Chesterfield Preparative Meeting's quota of the surplus of the Quarterly Meeting's stock, is a sum of	54	18	4½
W. Satterthwaite,	25	0	0	Hannah Middleton,	5	0	0
Abbott,	30	0	0	Anne Lawrie,	10	0	0
Abbott,	30	0	0	Esther Lippincott,	1	10	0
Corner,	5	0	0	Rhoda Tilton,	1	10	0
Middleton,	30	0	0	Mary Allen, (widow)	0	15	10
Lawrie,	25	0	0	Rhoda Robins,	5	0	0
Forsyth,	5	0	0	Hannah Hankins,	5	0	0
Middleton,	7	0	0	Isaac Collins,	7	10	0
Antum,	5	0	0	Robert Wright,	7	10	0
Evenson,	5	0	0	Alice Merritt,	4	0	0
Chapman,	5	0	0	Marmaduke Watson, jun. . . .	10	0	0
Abbott,	30	0	0	1795.—Joseph Bullock,	28	0	0
Shadford,	4	0	0				
Allen,	5	0	0				
Wright,	7	10	0				

	<i>l.</i>	<i>s.</i>	<i>d.</i>		<i>l.</i>	<i>s.</i>	<i>d.</i>
Thomas Taylor,	7	10	0	Isaac Combs,	3	0	0
Joseph M. Lawrie, . . .	50	0	0	Thomas Combs,	3	0	0
Jacob Middleton,	50	0	0	George Williams,	3	0	0
William Satterthwaite, . .	10	0	0	Samuel Cleveings,	2	0	0
Aaron Wright,	30	0	0	Fretwell Wright,	4	0	0
Joel Chessher,	5	0	0	Lydia Moore,	1	0	0
Elijah Field,	15	0	0	J. Taylor,	7	0	0

Page 88. Exhibit No. 11. Certified Copy of the Minute of London Yearly Meeting respecting the doctrines of the Society of Friends.

I, James Comerford of London, Notary Public, by Royal authority duly appointed and sworn, do hereby certify and attest unto all whom it may concern, the name "William Thompson," set and subscribed at the foot of the affirmation unto annexed, marked B., is of the true signature and proper handwriting of Right Honourable William Thompson, Lord Mayor and Chief Magistrate of the City of London, before whom, and in my presence, Josiah Forster and George Stacey, the affirmants named in the said affirmation, and who have severally signed the same, did on this day, in due form of law, solemnly and sincerely declare, test and affirm to be true, the several matters and things in the said affirmation mentioned and contained: And I, the said Notary, do further certify, that on the day being the day of the date hereof, at the request of the said affirmants, I repaired to the meeting house of the Society of Friends, (commonly called Quakers,) in Bishopsgate Street in this City; and in the office there, carefully collated and compared the extract hereunto annexed, marked A., with the original Minutes mentioned in the said affirmation, and found the same to be a true, faithful and correct extract from the said original Minutes, as set forth in the said affirmation: Wherefore full faith and credit ought to be given to the said affirmation in judicature thereout.

In testimony whereof, I have hereunto set my hand, and affixed my Notarial seal in London, this thirteenth day of June, one thousand eight hundred and twenty

[L. s.]

In fidem.

JAMES COMERFORD, Not. P.

CONSULATE OF THE UNITED STATES }
OF AMERICA. } LONDON.

I, Thomas Aspinwall, Consul of the United States of America, for London and the dependencies thereof, do hereby make known and certify to all whom it may concern, that James Comerford who hath signed the foregoing certificate is a Notary Public, duly admitted and sworn, and practising in the City of London as such; and that to all acts by him so done, full faith and credit are, and ought to be given in judicature, and thereout.

Given under my hand and official seal, in London aforesaid, this thirteenth day of June, Anno Domini one thousand eight hundred and twenty nine, and in the third year of the Independence of the said United States.

[L. s.]

THOMAS ASPINWALL

(B.)

London, to wit:

Josiah Forster and George Stacey, both of Tottenham in the county of Middlesex, in that part of the United Kingdom of Great Britain and Ireland, called England, (being two of the people called Quakers,) solemnly and sincerely affirm and say, as follows: And first the said affirmant, Josiah Forster, for himself said that he attended the Yearly Meeting of the religious Society of Friends, (commonly called Quakers,) in Great Britain, held in London, by adjournments, from the twentieth day

Fifth-month of the present year, to the twenty-ninth day of the same month, inclusively, did duly appoint him, this affirmant, to act as the clerk to such meeting, and that he accordingly acted as such clerk: And this affirmant further saith, that the above writing hereunto annexed, marked A., doth contain, and is a true, faithful and veritate extract from the original Minutes of the Proceedings of the Yearly Meeting aforesaid, signed in, by order, and on behalf of the said meeting, by this affirmant as clerk thereto, as aforesaid: And the said affirmant George Stacey, for himself saith, that the Standing Committee of the said Society of Friends, appointed by the said Yearly Meeting, did duly appoint him, this affirmant, to act as their clerk, and that he hath, accordingly, ever since acted as such clerk: And these affirmants severally say, that they have together carefully collated and compared the said extract with the said original Minutes, and do find the same to be a true, faithful and literate extract therefrom, as aforesaid.

JOSIAH FORSTER,
GEORGE STACEY.

Affirmed at the Mansion House, London, this 13th day of June, 1829, by both affirmants, before me,

WILLIAM THOMPSON, *Mayor*.

(A.)

A Yearly Meeting of the Religious Society of Friends, held in London, by adjournments, from the 20th of Fifth-month, to the 29th of the same, inclusive, 1829.

This meeting has been introduced into a feeling of much sympathy and brotherly love for our brethren on the American Continent. We have heard with deep concern and sorrow, of the close trials to which they have been subjected by the diffusion of anti-christian doctrines among them; and we consider it to be a duty to disclaim, and we hereby do disclaim, all connexion, as a religious Society, with any meetings for the purpose of worship or discipline, which have been established, or which are upheld by those who have embraced such anti-christian doctrines.

And in order to prevent any misapprehension as to our views, we feel ourselves called upon, at this time, to avow our belief in the inspiration and divine authority of the Old and New Testament.

We further believe, that the promise made after the transgression of our first parents, in the consequences of whose fall all the posterity of Adam are involved, that "the seed of the woman should bruise the head of the serpent;" and the declaration unto Abraham, "In thy seed shall all the families of the earth be blessed," had a direct reference to the coming in the flesh of the Lord Jesus Christ. To him, also, did the Prophet Isaiah bear testimony, when he declared, "Unto us a child is born; unto us a son is given: and the government shall be upon his shoulder: and his name shall be called Wonderful, Counsellor, The mighty God, The everlasting Father, The Prince of Peace: of the increase of his government and peace, there shall be no end." And again, the same Prophet spoke of him when he said, "Surely he hath borne our griefs, and carried our sorrows: yet we did esteem him stricken, smitten of God, and afflicted; but he was wounded for our transgressions, he was bruised for our iniquities: the chastisement of our peace was upon him; and with his stripes we are healed." The same blessed Redeemer is emphatically denominated by the Prophet Jeremiah, "THE LORD OUR RIGHTEOUSNESS."

At that period, and in that miraculous manner, which God in his perfect wisdom saw fit, the promised Messiah appeared personally upon the earth, when "He took not on him the nature of angels; but he took on him the seed of Abraham." He was in all points tempted like as we are, yet without sin." Having finished the work which was given him to do, he gave himself for us an offering and a sacrifice to God. He tasted death for every man. "He is the propitiation for our sins: and not for ours only, but also for the sins of the whole world." "We have redemption through his blood, even the forgiveness of sins." "He passed into the heavens; and sitting the brightness of the glory of God, and the express image of his person, and holding all things by the word of his power, when he had by himself purged our

ans, sat down on the right hand of the Majesty on high: and ever liveth to make intercession for us."

It is by the Lord Jesus Christ, that the world will be judged in righteousness. He is the mediator of the new covenant; the image of the invisible God, the first-born of every creature: for by him were all things created, that are in heaven, and that are in earth, visible and invisible, whether they be thrones, or dominions, or principalities, or powers: all things were created by him, and for him: and he is before all things, and by him all things consist." "In him dwelleth all the fulness of the Godhead bodily:" and to him did the Evangelist bear testimony, when he said, "In the beginning was the Word, and the Word was with God, and the Word was God. The same was in the beginning with God. All things were made by him, and without him, was not any thing made that was made. In him was life; and the life was the light of men." He "was the true light, which lighteth every man that cometh into the world."

Our blessed Lord himself spoke of his perpetual dominion and power in his church when he said, "My sheep hear my voice, and I know them, and they follow me, and I give unto them eternal life:" and, when describing the spiritual food which he bestoweth on the true believers, he declared, "I am the bread of life: he that cometh to me shall never hunger, and he that believeth on me shall never thirst." He spoke also of his saving grace, bestowed on those who come in faith unto him when he said "Whosoever drinketh of the water that I shall give him, shall never thirst; but the water that I shall give him, shall be in him a well of water, springing up into everlasting life."

Our religious Society, from its earliest establishment to the present day, have received these most important doctrines of Holy Scripture, in their plain and obvious acceptance; and we do not acknowledge as in fellowship with us, as a Christian community, any body of religious professors which does not thus accept them, which openly receives and accredits as ministers, those who attempt to invalidate any of these doctrines, which we esteem as essential parts of the Christian religion.

It is the earnest desire of this meeting, that all who profess our name, may live, and so walk before God, as that they may know these sacred truths to be blessed to them individually. We desire that, as the mere profession of some Christian doctrine will not avail to the salvation of the soul, all may attain to a living efficacious faith, which, through the power of the Holy Ghost, bringeth forth fruit unto holiness; the end whereof is everlasting life, through Jesus Christ our Lord. "Blessing, and honour, and glory, and power, be unto Him that sitteth upon the throne, and unto the Lamb, for ever and ever."

Signed in, by order, and on behalf of the meeting aforesaid, by

JOSIAH FORSTER, *Clerk.*

This is the paper writing marked A., mentioned and referred to in and by the affirmation hereunto annexed, marked B.

The word "which" interlined on the twenty-fifth line of the second page.

JOSIAH FORSTER,
GEORGE STACEY.

JAMES COMBERFORD, *Notary Public.*

London, 13th of Sixth-month, 1829.

Page 72. Exhibit No. 12. Extracts from the Writings of Primitive Friends, concerning the Divinity of our Lord and Saviour, Jesus Christ. Published by direction of the Meeting for Sufferings held in Philadelphia.

At a Meeting for Sufferings held in Philadelphia, the 17th of First-month, 1823—

An Essay, containing a few brief extracts from the writings of our primitive Friends, on several of the doctrines of the Christian religion, which have been

ways held, and are most surely believed by us, being produced and read; on solid consideration, they appeared so likely to be productive of benefit, if a publication thereof was made, and spread among our members generally, that the committee appointed on the printing and distribution of religious books, are directed to have sufficient number of them struck off, and distributed accordingly; being as follows:

We have always believed that the Holy Scriptures were written by divine inspiration, that they are able to make wise unto salvation, through faith which is in Christ Jesus; for, as holy men of God spake as they were moved by the Holy Ghost, they are therefore profitable for doctrine, for reproof, for correction, for instruction in righteousness, that the man of God may be perfect, thoroughly furnished unto all good works. But they are not, or cannot be subjected to the fallen, corrupt reason of man. We have always asserted our willingness, that all our doctrines be tried by them; and admit it as a positive maxim, that whatsoever any do (pretending to the Spirit) which is contrary to the Scriptures, be accounted and judged a delusion of the devil.

We receive and believe in the testimony of the Scriptures, simply as it stands in the text—"There are three that bear record in heaven, the Father, the Word, and the Holy Ghost, and these three are one."

We believe in the only wise, omnipotent and everlasting God, the creator of all things in heaven and earth, and the preserver of all that he hath made, who is God over all, blessed for ever.

The infinite and most wise God, who is the foundation, root and spring of all operation, hath wrought all things by his eternal Word and Son. This is that Word that was in the beginning with God, and was God; by whom all things were made, and without whom was not any thing made that was made. Jesus Christ is the beloved and only begotten Son of God, who, in the fulness of time, through the Holy Ghost, was conceived and born of the Virgin Mary—in him we have redemption through his blood, even the forgiveness of sins. We believe that he was made a sacrifice for sin, who knew no sin; that he was crucified for us in the flesh, was buried and rose again the third day by the power of his Father for our justification, ascended up into heaven, and now sitteth at the right hand of God.

As then that infinite and incomprehensible Fountain of life and motion, operateth in the creatures by his own eternal word and power, so no creature has access again to him but in and by the Son, according to his own blessed declaration, "No man knoweth the Father but the Son, and he to whom the Son will reveal him." Again, "I am the way, the truth and the life: no man cometh unto the Father but by me." Hence he is the only Mediator between God and man: for having been with God from all eternity, being himself God, and also in time partaking of the nature of man; through him is the goodness and love of God conveyed to mankind, and by him again man receiveth and partaketh of these mercies.

We acknowledge, that of ourselves we are not able to do any thing that is good; neither can we procure remission of sins or justification by any act of our own; but acknowledge all to be *of* and *from* his love, which is the original and fundamental basis of our acceptance. "For God so loved the world, that he gave his only begotten Son, that whosoever believeth in him should not perish, but have everlasting life."

We firmly believe it was necessary that Christ should come, that by his death and sufferings, he might offer up himself a sacrifice to God for our sins, who his own self bare our sins in his own body on the tree; so we believe that the remission of sins which any partake of, is only in and by virtue of that most satisfactory sacrifice, and no otherwise. For it is by the obedience of that one, that the free gift is made upon all to justification. Thus Christ by his death and sufferings hath reconciled us to God, even while we are enemies; that is, he offers reconciliation to us; and we are thereby put into a capacity of being reconciled. God is willing to be reconciled unto us, and ready to remit the sins that are past, if we repent.

Jesus Christ is the intercessor and advocate with the Father in heaven, appearing in the presence of God for us, being touched with a feeling of our infirmities, sufferings, and sorrows; and also by his spirit in our hearts, he maketh intercession according to the will of God, crying abba, Father. He tasted death for every

shed his blood for all men, and is the propitiation for our sins, and not for ours only, but also for the sins of the whole world. He alone is our Redeemer and Saviour, the captain of our salvation, the promised seed, who bruises the serpent's head; alpha and omega, the first and the last. He is our wisdom, righteousness, justification and redemption; neither is there salvation in any other; for there is no other name under heaven, given among men, whereby we may be saved.

As he ascended far above all heavens, that he might fill all things, his fulness cannot be comprehended or contained in any finite creature, but in some measure known and experienced in us, as we are prepared to receive the same, as of his fulness we have received grace for grace. He is both the word of faith and a quickening spirit in us, whereby he is the immediate cause, author, object and strength of our faith in his name and power, and of the work of our salvation from sin and bondage of corruption.

The Son of God cannot be divided from the least or lowest appearance of his divine light or life in us, no more than the sun from its own light: nor is the efficiency of his light within set up or mentioned in opposition to him, or to his fulness considered as in himself or without us; nor can any measure or degree of light received from Christ, be properly called the fulness of Christ, or Christ as in fulness, nor exclude him from being our complete Saviour. And where the least degree of measure of this light and life of Christ within, is sincerely waited in, followed and obeyed, there is a blessed increase of light and grace known and felt; as the path of the just, it shines more and more until the perfect day; and thereby a growing grace, and in the knowledge of God, and of our Lord and Saviour Jesus Christ, has been and is truly experienced.

Wherefore we say, that whatever Christ then did, both living and dying, was a great benefit to the salvation of all that have believed, and now do, and that he who after shall believe in him unto justification and acceptance with God; but the way to come to that faith, is to receive and obey the manifestation of his divine light and grace in the conscience, which leads men to believe and value, and not to discountenance or undervalue Christ, as the common sacrifice and mediator. For we do affirm, that to follow this holy light in the conscience, and to turn our minds, and bring all our desires and thoughts to it, is the readiest, nay the only right way, to have true, living, and sanctifying faith in Christ, as he appeared in the flesh; and to discern the Lord's body, coming, and sufferings aright, and to receive any real benefit by him as our sacrifice and mediator; according to the beloved disciple's emphatical testimony: "If we walk in the light, as he (God) is in the light, we have fellowship one with another, and the blood of Jesus Christ his son cleanseth us from all sin."

By the propitiatory sacrifice of Christ without us, we, truly repenting and believing, are, through the mercy of God, justified from the imputation of sins and transgressions that are past, as though they had never been committed: and by the mighty work of Christ within us, the power, nature, and habits of sin are destroyed: that as sin once reigned unto death, even so now grace reigneth through righteousness unto eternal life, by Jesus Christ our Lord.

Signed on behalf of the meeting,

JONATHAN EVANS, Clerk.

Page 110. Exhibit No. 15. Letter from Elias Hicks to Phoebe Wallis, 1819.

JERICHO, 19TH OF FIFTH-MONTH, 1819.

My Dear Friend,

Thy acceptable epistle I have perused, and believing it to be the product of true friendship, it was gratefully received, and the language it utters, would not many years since, have been my own. But having for a considerable time past, found full conviction, that there is scarcely any thing so baneful to the present and future happiness, and welfare of mankind, as a submission to tradition and popular opinion: I have, therefore, been led to see the necessity of investigating for myself, all our

nd doctrines, whether of a Moral or of a religious nature, either verbally, or orally communicated, by the best and greatest of men, or Angels. And not to be satisfied with any thing, but the plain, clear, demonstrative testimony of the true word of life, and light, in my own heart and Conscience. And which has led me now very far, all the professors of Christianity are from the real Spirit, and Substance of the Gospel,—And among other subjects, I have been led, I trust carefully, and coolly, to investigate the effects produced by the book called the Scriptures, since I have borne that appellation, and it appears from a comparative view, to have been more of fourfold more harm, than good to Christendom, since the Apostles' days, which I think must be indubitably plain to every faithful honest mind, that has traced her history, free from the undue bias of Education, and tradition,—Mark the beginning of the Apostacy when the professors of Christianity began to quarrel and separate, from each other, it all sprang from their different views and different interpretations, of passages of Scripture, and to such a pitch did their quarrel rise, as that a recurrence to the sword was soon deemed necessary to settle the disputes,—And the Strongest party in that line, finding, that as long as the people were free, and had the privilege of searching the Scriptures, and putting their own interpretations upon them, and making them their rule, diversity of opinion and difference would increase, this led the Strongest party to that disagreeable and unchristian practice of wresting them out of their hands, and forbidding their being read by the people at large,—And this State of things continued for many years, untill the beginning of reformation by Martin Luthur,—It will be now necessary to consider whether the Scriptures were in anywise necessary to this infant beginning of reformation, I think it is clear they were not, but as Luthur and his adherents, gained Strength, began to shake off the yoke of Papal oppression, and among other things the dependence on the Scriptures, was taken off, and every Citizen that joined Luthur had the privilege of reading the Scriptures at his pleasure—and what was the result—A diversity of Sentiment, respecting what they taught, which soon set the reformers one against another, and which soon produced, such divisions and animosities among the reformers that recourse was again had to the Sword, to settle the disputes, in this condition things continued Untill George Fox was raised up to bear testimony to the light and spirit of truth in the hearts and Consciencies of Men and Women, as the only sure rule of faith and practice both in relation to Religious and Civil things, and which was complete and sufficient, without the aid of books or men. His doctrine and Example clearly evinces, as his reformation was begun and carried on without the necessary aid of either,—But as the professors of Christianity, still held the Scriptures or their interpretations of them, as their chief Idol, and such was their veneration for them, that for any one to hold up any thing else as a rule, was immediately pronounced as a heretic, or scismatic, and not fit to company or associate with, in any way, this led George and his friends, to shew that their doctrine was in nowise derogatory to those written by those who were inspired by the spirit in former days,—And all go to prove, that every step of reformation, that has fallen in every age of the world has been begun and best carried on when reformers, kept close to the leading, and inspiration, of the spirit of truth, and did nothing, whether books, or men, to turn them aside from their ever present, ever blessed, sure guide. Seeing they have the Anointing to be their teacher, and the spiritual Lamb to be their light,—

I conceive every man and Woman, who has a right understanding, and correct ideas of the divine Character, must have the same views, for otherwise they contradict their own professions, as every one who believes in the existence of God, Attributes to him Justice, mercy, and love, and that he is unchangeable in his nature, and incapable of partiality, hence he must, and no Doubt has, given to every man and Woman, a complete and sufficient rule of faith and practice, without the aid of books or men, And hath so ordered in the course of events, that the more strictly and faithfully, every man and Woman lives up to the guidance and teaching of this divine Anointing, and never turns aside, to the right hand or left, for the precepts and traditions of men, the more instruction and help they afford one another,—And to propose a Written rule to be necessary or much useful is to impeach the divine Character, and charge the infinite Jehovah with partiality, and injustice, as the greater part of this rational Creation, has never been furnished with those means, and h-

their hearts but he dispensed them to no other people but to Israel, and it came of their own accord and joined them, and as soon as the effect was produced by bringing them back to their inward guide, all those outward means became obsolete, and useless. So likewise he made use of the Ministry of Jesus Christ and Apostles, for the same end, to turn from darkness to the inward light, and when it was effected, their Ministry, had done all it could do, and to such, as they came to walk in the light, their doctrine became Obsolete, and useless. And so it is now, where any real reformation has been produced, it has always been by the immediate operation of the Spirit. And when new generations are newly raised up, by the immediate operation of the Spirit, and when people have depended, upon what has been Written, to former generations, they make no advancement, but, just sit down in the labours of their forefathers, become dry and formal, and fall behind those, they are copying after, or just follow,—This is very manifestly the case with our Society, altho so highly favoured with almost every possible means to gather them, from all outwards to their inward teacher, who teaches as never man taught, nothing but the truth, and the cause why many turn from him, to the teachings of men, or books, because they can mostly turn their teachings to suit their own ends, hence plain truth is not agreeable to them, but teachings that they can interpret to suit their own inclinations. Most men do with the Scriptures, these they cry up, and speak highly of,—And as these cause all the animosities and divisions in Christendom, and from hence all of their quarrels and wars have arisen,—And there is great cause to fear, that in our Society, who, are united with those among others in very improperly setting the Scriptures above their true value, are adhered to, they will finally divide and scatter us, as they have all other professors of Christianity,—For considerations have already arisen concerning passages of the first importance, I will not mention one wherein the very leaders are divided, and surely if it is so wrapt up in mystery we cannot understand it alike, how much better should we be without it.

It is Peters testimony concerning the more sure word of prophecy which those considered as the most wise and learned, Amongst us, tells us is the Scripture. And should I, be by them convinced that Peter really ment the Scriptures, to me, render all, his writings as unworthy much attention, And I have no doubt, that if friends generally, of the foremost ranks, should honestly and freely speak their sentiments on the Scriptures in general,—So great would be the utility of prospects, that little help or edification in a Society Capacity could be derived from them, and it is altogether reasonable it should be so, in the dispensings of providence, Seeing as we have the Scriptures at our command, that if their deficiency in them, to point the way to Heaven, we might then by our own

on them as evidence to the truth of inspiration, and to shew that the upright and faithful in former ages, were led and instructed by the same spirit, as those in the present day, and that the Lord is graciously willing to reveal himself as fully to the children of men in this day, as in any Day of the world, without respect of persons, as each are attentive to his inward, and spiritual manifestations.—

And how much more reasonable it is to suppose, that an inspired teacher in the present day, should be led to speak more truly and plainly to the States of the people to whom he is led to communicate, than any doctrines that were delivered 1700 years ago to a people very differently circumstanced, to those in this day, I leave to every rational mind to Judge—And that the doctrines of George Fox, and our primitive friends Should be easier to understand, and plainer, being written in our own language, than the doctrines of the primitive Christians appears very reasonable but we are all or have been so bound down by tradition, being taught from the Cradle to venerate the Scriptures, and people generally considering them so Sacred as not to be investigated, but bound to receive them, as we have been taught hence we have all been more or less dupes to tradition and error. I well remember how often my Conscience has smote me when I have been endeavouring to support the Societies belief of the Scriptures, that they so very far excelled all other writings, that the fear of man had too great a share in leading me to adopt the sentiment, and custom rendered it more easy, but I never was clear in my own mind as to that point and had I carefully attended to my own feelings I should have been preserved I believe in a line of more Consistency, in that respect and I may now acknowledge to thee, that, I never exprest my own genuine feelings, and prospects so clearly, and so much to the peace of my own mind, as in our last quarterly meeting, and indeed such was the view I had and the clearness of the opening, that I apprehended there could not have been a rational mind present, acquainted with the Subjects of my Communication, but would have assented thereto,—Much more might be said, in proof of the foregoing, but my time, and leisure will not reasonably admit me to proceed further, and what I have written has been done in scraps of time, that I have as it were stolen from my other many avocations, without any time to copy it, or give it much examination, therefore I hope thou wilt excuse the improprieties, that may have escaped my notice, believing that thou wilt be able to apprehend the main drift of the arguments; and, be willing to put the best construction on such parts as may to thee appear erroneous; thy Assured friend

ELIAS HICKS.

Page 110. Exhibit No. 16. Letter from Elias Hicks to Phoebe Willis, 1820.

NEW YORK, 23D OF NINTH-MONTH, 1820.

Dear Friend

I have read thy communication with attention and candor, and am very sorry that any thing that I have said or done, should have given thee so much trouble and concern, but I can assure thee if I am any way faulty in the premises, it is altogether unintended by me. And did I not believe that thou had acted intentionally, the part of a sincere friend, I should not have noticed so far, as to have made any reply. As the greater part is entirely erroneous to the subjects, or to my real case,—for if people that hear communications or read writing, will take the liberty to divide and dissect, communications so as to make them say, what they never was intended to say, who is the most blameable, the speaker, or writer, or hearer, or reader, and this is often done I believe by some, on purpose to find fault, tho' I don't mean to apply this disposition to thee in the least, And yet I believe there are many such, and not a few only in our own society

Thy greatest concern seems to be what I have said or what my sentiments are respecting the Scriptures, and that I am differently opinioned concerning them, than I was in the early part of my exercises in a religious way. But this is entirely a mistake, for my belief concerning them has been uniformly the same, from my youth up, even before thou had seen the light of this world—for a communication I trust I was led to deliver in a public meeting in Oysterbay, between 40 and 50 years since, is as fresh in my remembrance, as it then opened in my mind—that the professors of

of his power and presence, and looked only to the power of the Image it did then hurt than good, the Lord saw meet to take it away, altho' if the Israelites had up the true faith in the immediate presence it might have been continued to their generation until the antitype came, which is Christ as God in spirit, Christ as man, and to this Christ and God which is one I ascribe all true divinity to those immortal Spirits that are in unison with him, and partake of his divinity but to nothing else do I ascribe any real Divinity, and surely it cannot be ascribed to any corporal matter, only in similitude or shadow—

The next thing I would observe is that I have said that it would be better, that we were entirely annihilated, but this is not the case, as I have never said it, as I remember except I might when in pleasant conversation with my particular friends who were of full unity, and knew how to understand me, I might have said, that I did not think but it might be as well that they were entirely done away but never expressed a settled belief—But I may Add that I sometimes think that if they are really useful and useful to a few who make a right use of them, yet as I believe they are of great harm to multitudes of others, whether it would not be better for the few to find some comfort and help from them to give them up for a time until the wrong use and abuse of them are done away, in the same manner as in a Moral relation it would be better for the inhabitants of the world if distillation and the means of making spirituous liquor was for a time given up and done away, until the wrong use and abuse of it was done away, and forgotten, altho' it might deprive some of the benefit who use those articles only to their comfort and help, for if after a time it were thought right to renew the making it, when the intemperate use and abuse was done away it would be a very easy thing for man to make it again Just so in respect to the Scriptures, it would be a very easy thing for divine Wisdom and Goodness to raise up and qualify some of his faithful Servants to write scriptures if he should choose the best as good and as competent for the generation in which they lived and likely to be much better, than those wrote so many hundred years since, for would not it be of us be very Glad if we, could have immediate access to Paul, and some of the other Apostles, who contradict one another and sometimes themselves, by which means we might be informed of the true meaning of what they have wrote, and cause us to understand them alike— Another complaint thou mentions is that I counteract the discipline respecting reading the Scriptures, which is also a mistake as my manner is the same to encourage friends especially the younger class, as I have always done in respect, but I have only endeavored to counteract the innovations, that appear among friends by fixing times before hand, some at tables, and a great stir their is in the world since they joined the superstitious Bible Societies to bring friends into

r minds Secretly drawn into a solemn state, that they yield thereto and wait to be ructed how to act and what to do, and I believe were this the case with Parents hildren they would often be furnished with a word of counsel, and encouragement, o' contained in but few expressions that would be more effectual to the help and uragements of their Children and families than the reading of all Paul's Epistles, hout being under the right covering, for it will remain an eternal truth, that tho er killeth but the spirit only giveth life—I shall notice one thing more in thy let- that respecting the atonement, and as time will not admit me to write much more, all in a short way give thee my view on the subject, And first I may say that our mitive friends stopt short, in that matter, not for want of faithfulness but because

day that was in some respects still Dark would not admit of further openings, ause the people could not bear it, therefore it was to be a future work—But to pose in this day of advanced light, that the offering of the outward body of Jesus rist, should purge away spiritual corruption is intirely inconsistant with the naturo f reason of things as flesh and spirit bear no analogy with each other, and it like- e contradicts our Lords own doctrines, where he assured the people that the flesh steth nothings, and many other of his Sayings it contradicts—And I believe nothing r did or ever will, atone for spiritual corruption, but the intire death of that from ence that corruption originated which is the corrupt will, and the life that tho nature has generated in him by that will both which must be slain by the Sword of e spirit which stands in the way to eden and must die and be annihilated on the Cross, d that is the true atonement which the creature cannot effect for himself only as he omits to the operation of the life and spirit of Christ which will enable the willing obediant to do it, And the outward atonement was a figure of it, which with the ward example, of Jesus Christ in his righteous works, and pious death gives ength to faithful to make this necessary offering and Sacrafice unto by which his e is Blotted and he again reconciled to his maker

I must now close as time calls me away, thou must excuse the Scribbleing way in hich I have written as the shortness of time made it necessary to write in much etc,—

In love to you all, I rest thy affectionate friend

ELIAS HICKS.

Page 110. *Exhibit No. 17. Copy of a letter written by Elias Hicks, in answer to one addressed to him by Thomas Willis, of Jericho, Long Island, dated Tenth-month 27th, 1821.*

JERICHO, TENTH-MONTH, 1821.

TIME of the 27th instant I have duly considered, and although, like thyself, I was ought up and educated in the historical and traditional belief that the conception 'Jesus of Nazareth, in the womb of Mary his mother, was effected by the power of od, and this has been my belief, as far as history could produce a belief, for more an fifty years; and although I read, or have heard the scriptures read, many times er, yet as I read them, or heard them read, under the prejudice of a traditional be- f, I never observed any thing that appeared to militate against it; but having, in e compass of a few years past, been led into an examination of the ancient history 'the professed Christian Church, wherein I discovered, that many who made pro- sion of the Christian name believed otherwise, and these at times stood foremost in teem: but as these different views, for want of keeping in the forbearing spirit of e Christianity, introduced divisions and disputes among them, first in words only, ey began to persecute one another by calling each other heretics; and which finally minated in cruel and bloody wars, carried on between ministers and ministers, ch having a party on their side, aided by the secular power: and after many years uggle, and much bloodshed, the bishop of Rome gaining the ascendancy, and tting the civil power into his hands, subdued all Europe, and brought them to sub- t to his will, although, no doubt he was the worst of them all, as in him was com- ehended the beast that John, in his revelation, saw rise up out of the sea, (that is,) t of the unstable multitude of people.

Now, in his creed, to which he made all the nations of Europe bow, by the dint of

the sword, was this of the Miraculous Birth; therefore, all children, for several hundred years were brought up and educated in this belief, without any examination in regard to its correctness.

Finding this to be the case, I examined the accounts given on this subject by the four Evangelists, and according to my best judgment on the occasion, I was led to think there was considerable more Scripture evidence for his being the son of Joseph than otherwise; although it has not yet changed my belief, are the consequences which follow much more favourable; for as the Israelitish covenant rested very much upon external evidence, by way of outward miracle, so I conceive this miraculous birth was intended principally to induce the Israelites to believe he was their promised Messiah, or the great prophet, Moses had long before prophesied of that should come, like unto himself. But, when we consider that he was born of a woman that was joined in lawful wedlock with a man of Israel, it would seem that it must shut the way to the enforcing any such belief, as all their neighbours would naturally be led to consider him the son of Joseph, and this it appears very clear they did, by the scripture testimony; and although it has not, as above observed, given cause as yet, to alter my views on the subject, as tradition is a mighty bulwark, not easily removed, yet it has had this salutary effect, to deliver me from judging my brethren and fellow-creatures who are in that belief, and can feel the same flow of love and unity with them, as though they were in the same belief with myself: neither would I dare to say positively that it would be my mind, they should change their belief, unless I could give them much greater evidence than I am at present possessed of, as I consider in regard to our salvation, they are both non-essentials; and I may further say, that I believe it would be much greater sin in me, to smoke tobacco that was the produce of the labour of slaves, than it would be to believe either of these positions; and I may further add, as advice from a brother that wishes thee well, that thou would observe the advice of the wise king, "leave off contention before it be meddled with." I conclude with sincere desires for thy establishment on the sure foundation,

Thy friend,

ELIAS HICKS.

To THOMAS WILLIS.

Page 333. *Feb'y 1st N. 37. Letter from Elias Hicks to Dr. N. Shoemaker, of Philadelphia.*

JEANES, THIRTI-MONTH 31ST, 1823.

Dear Friend,

Thy accepted letter of the 1st month last came duly to hand; but my religious engagements were so numerous and so near, that I have not been able to give it that attention that it certainly deserves. The subject of thy letter, my views of the suffering of Jesus Christ the Son of God, and what was the object of the shedding of his blood on the cross, and what it has resulted to mankind by the shedding of this blood, &c. I shall answer in a very simple way, as I consider the whole subject to be a very simple one, and that it is simple when we free ourselves from the improper bias of tradition and education, which rests as a burdensome stone on the minds of most of the cultivated classes, and which very much mars the unity and harmony of society.

1st. By what means did Jesus suffer? The answer is plain—by the hands of wicked men, and of evil men, whose works were evil, and their hearts were wicked. Query. Did God send him into the world purposely to suffer death by the hands of wicked men? By no means; but to live a righteous and goodly life, which was the design and end of God's creation in the beginning, and thereby be a perfect example to such of mankind as were come to the knowledge of him and of his perfect life. For, if it was the purpose of God that he should die by the hands of wicked men, then the Jews, by crucifying him, would have done God's will, and of course would all have stood in his light, which could not be. But it was permitted so to be, as it had been with every other prophet, and wise and good men that were before him, who suffered death by the hands of wicked men for righteousness' sake, as cu-

to those that came after, that they should account nothing too dear to give for the truth's sake, not even their own lives.

His shedding of his blood by the wicked scribes and Pharisees, and people of Israel, had a particular effect on the Jewish nation, as by this, the topstone and worst of their crimes, was filled up the measure of their iniquities, and which put an end to that dispensation, together with its law and covenant. That as John's baptism summed up in one, all the previous water baptisms of that dispensation, and put an end to them, which he sealed with his blood, so this sacrifice of the body of Jesus summed up in one all the outward atoning sacrifices of the shadowy dispensation and put an end to them all, thereby abolishing the law, having previously fulfilled its righteousness, and, as saith the apostle, "He blotted out the hand-writing of the ordinances, nailing them to his cross;" having put an end to the law that commanded them, with all its legal sins, and abolished all its legal penalties, so that all who believed on him, after he exclaimed on the cross, "It is finished," abstain from all the rituals of their law, such as circumcision, water baptisms, legal sacrifices, Seventh-day Sabbaths, and all their other holy days, &c. and be free from the legal sins that any were guilty of, was now remitted and done away by the abolishment of the law that commanded them, for "where there is no law there is no transgression." But those that did not believe on him, many of them were destroyed by the sword, and the rest were scattered abroad in the earth. But, *consider that the crucifixion of the outward body of flesh and blood of Jesus on the cross, was an atonement for any sins but the legal sins of the Jews: for as their law was outward, so their legal sins and their penalties were outward, and these could be atoned for by an outward sacrifice; and this last outward sacrifice was a full type of the inward sacrifice that every sinner must make, in giving up that sinful life of his body, in and by which he hath from time to time, crucified the innocent life of his own soul; and which Paul calls "the old man with his deeds," or "the flesh, the sin and son of perdition," who hath taken God's seat in the heart, and there sits itself above all that is called God, or is worshipped, sitting as Judge and Ruler.* Now all this life, power, and will of man, must be slain and die on the cross spiritually, as Jesus died on the cross outwardly, and this is the true atonement, that outward atonement was a clear and full type of. This the apostle Paul hath said in a plain manner, Romans vi. 3 and 4. "Know ye not that so many of us who were baptized into Jesus Christ, were baptized into his death? Therefore we are buried with him by baptism into death, that, like as Christ was raised up from the dead (outwardly) by the glory of the Father, even so we," having by the spiritual death witnessed a death to sin, shall know a being raised up spiritually and walk in the newness of life.

The primitive christian church having soon after the apostles' days, turned away from the true and only sufficient guide, the spirit of truth, that Jesus commanded his disciples to wait for, and not attempt to do any thing until they had received it, misled them that when they had received it, it would be a complete and sufficient guide *without the addition of any other thing*, as it would lead them and guide them in all things. And to its sufficiency, John, the beloved apostle, bore this noble and extensive testimony, in full accordance with his Divine Master. in this emphatic language he exhorted believers: "Ye have an unction from the Holy One, and need not that any man teach you, but as the same anointing teacheth you, which is truth, and is no lie." But the believers, by too much looking to their old traditions, soon lost sight of the inward guide fully to attend, as they ought to have done, to their inward guide, turned their attention outward to the *letter*, which *always killeth those who lean upon it as a rule*, hence, the successors of those meek and self-denying followers of the example and commands of Jesus, apostatized from the simplicity of the gospel, by which the unity was broken, and they soon became divided into sects and parties, and persecuted each other; and invented and promulgated inconsistent and unsound doctrines such as original sin, certifying that all Adam's offspring was condemned to punishment for one mis-step of our first parents; for they don't appear to have been guilty of but one failure, and that it appears they made satisfaction for at the time of their first arraignment by their benevolent creator, manifesting sorrow and repentance: which seems to be fairly implied by the sequel of the interview between Adam and God: or it is said he clothed them with coats of skin, to hide their nakedness, which

is an emblem of durable clothing, and as their nakedness was not an outward one, nakedness of soul, not being able to conceal their sin from the all-penetrating Divine Justice, so when he had brought them, through conviction, to see their sin and repent of it, he was reconciled to them, and clothed them again with his Spirit.

And inasmuch as those idle promulgators of original sin, believe they are sinners, without their consent or knowledge, which, according to the nature and reason of things, every rational mind must see is impossible; so likewise they are and ignorant enough to believe they are made righteous without their consent or knowledge, by the righteousness of one who lived on the earth near two thousand years before they had an existence, and this by the cruel hands of wicked men as an innocent and righteous one; and these are bold and daring enough to lay a cruel and unholy act in the charge of Divine Justice, as having purposely ordered it to be so: but what an outrage it is against every righteous law of God and man the scriptures abundantly testify. See Exodus c. 23, v. 7. "Keep thee far from a false matter, and the innocent and righteous slay thou not, for I will not justify the wicked." Deuteronomy c. 27, v. 26. "Cursed be he that taketh reward to slay the innocent person;" and much might be produced to show the wickedness and absurdity of the doctrine, that would accuse the perfectly just, all-wise and merciful Jehovah of so barbarous and cruel an act, as that of slaying his innocent and righteous Son alone for the sins and iniquities of the ungodly.

Surely, is it possible, that any rational being that has any right sense of justice and mercy, that would be willing to accept forgiveness of his sins on such terms!!! If he will not rather go forward and offer himself wholly up to suffer all the penalties of his crimes, rather than the innocent should suffer? Nay—was he so hardly as to acknowledge a willingness to be saved through such a medium, would it not prove that he is in direct opposition to every principle of justice and honesty, of mercy and love, and of himself to be a poor selfish creature, and unworthy of notice!!!

Having given thee a sketch of my views on the subject of thy queries, how thou may consider them correct, I must leave to thy judgment and consideration. I may now recommend thee to shake off all traditional views that thou hast imbibed from external evidences, and turn thy mind to the light within, as thy only teacher: wait patiently for its instruction, and it will teach thee more than all books can do: and lead thee to a clearer sight and sense of what thou desirest to know, than I have words clearly to convey it to thee in. That this may be thy experience, is my sincere desire: and with love to thyself and family, I conclude.

Thy affectionate friend,

ELIAS HICKS

DR. N. SHOEMAKER.

Page 163. Exhibit No. 22.

As we are now considered to be not in full unity with some of the members of our particular select meeting, for no other cause, as we conceive, than a firm adherence to, and bearing our testimony for that which we most sincerely believe to be truth, and consistent with the doctrines of our society; we are therefore disposed in this way to state our views on some points, in order for the more clear understanding of the members of our meeting.

We apprehend that we do as firmly believe in divine guidance as any of our friends, and we trust that it hath not been without regard to this, that we have, in a plain and affectionate manner remonstrated with some of our Friends, both by word and writing, on those subjects which have occasioned our uneasiness; some of which remain as a standing evidence that we have endeavoured to move in the concerns which have impressed our minds, according to gospel order, and that seasonably.*

Now after having done this, and the same cause of uneasiness continuing, we have been brought into a strait when answering the queries in our select meeting, believing that impartial justice will not admit of answering a pointed question

* Alluding to some written communications.

presented to us by a superior meeting, in any other way than in honesty and truth, what has remained for us to do, but in simplicity to inform our Friends that certain points of doctrine which have been introduced up in our meetings, do not appear to us consistent with the doctrines of Christianity, as held by our society, and therefore we abstain from unity with it, as being a sect which, which every member has a right to exercise, we perceive that in so doing we have only done that which appeared to us consistent with our duty.

In order that Friends may the better understand the ground of our unanimity, we thought proper to advert to some of the most prominent points which have long been present to our minds. As firstly,

In relation to our belief in the scriptures as a true record, and only outward test of the proof of doctrine.

Our society having ever professed to be believers in the doctrines of Christianity, and to hold the scriptures of truth, we may acknowledge that the manner in which they have been frequently treated, has given us much uneasiness, being, as we consider, calculated to lessen their validity in the view of the unexperienced, to discourage frequent reading of them, and to lessen their usefulness, especially to the rising generation, and that this has already been the result, as, we think, too obvious to be denied.

As to the scriptures on the same ground as any other history, we consider inconsistent with our profession, and to assert that "they are nothing but a history of passing events which occurred eighteen hundred years ago, a great portion of which is untrue," appears to us, not only derogating from the divine authority of the scriptures, but also leaving a fair and reasonable doubt that a large portion of them may be false.

When any thing is represented as doing us more harm than good, the plain inference is, that we should be better without it: then if the scriptures have been the source of abundance of harm, yea, fourfold more harm than good to Christendom, as has been asserted, would it not have been a great benefit and blessing, if they had been totally annihilated many hundred years ago?

We must acknowledge that we cannot unite with sentiments leading to such conclusions; and furthermore, to reject the scriptures of truth as a standing test for the proof of doctrine is a deviation from the uniform practice and judgment of our society, and it is evident, according to our standard authors, that they have always appealed to, and acknowledged them as the only fit outward judge and test; and that whatever doctrine is contrary to their testimony, may therefore justly be rejected as false.

Secondly, On the fall of man, and his redemption by Christ.

The idea at different times held up, as though our first parents, after transgression, were not only brought to a sense of their error, but through repentance quickly obtained forgiveness, and were again restored, so far that their transgression had no permanent effect on their future condition, appears to us inconsistent. It has been stated that "they do not appear to have been guilty of but one fault, and that it appears they made satisfaction for, at the time of their first arraignment by their benevolent Creator, manifesting sorrow and repentance;" and hence an inference is drawn, that they were almost immediately reinstated into favour and reconciliation with their Creator.

This we conceive to be irreconcilable with the scripture testimony, and the uniform doctrine of our society: to us it evidently appears that our progenitors lost their happy condition when they yielded to the temptation of the serpent, in violation of the divine command, "Of every tree of the garden thou mayst freely eat; but of the tree of the knowledge of good and evil, thou shalt not eat of it; for in the day that thou eatest thereof thou shalt surely die."

Now can we believe that the infinite Jehovah, the Creator of this universe, "who spake and it was done, he commanded and it stood fast," could fail in fulfilling this decree on transgressing man, seeing the command and the penalty were positive. To the day that thou eatest thereof thou shalt surely die, doubtless did as to that was his in which they held, and happily enjoyed communion with their Maker, and it was only do we find the divine decree fulfilled in the sentence pronounced on Adam: "Because thou hast eaten of the tree whereof I commanded thee, saying, thou shalt not eat of it, cursed is the ground for thy sake, in sorrow shalt thou eat of it all the days of thy life, thorns also and thistles shall it bring forth unto thee. in

consistent with the doctrine of our society, and that of the apostle Paul, who, of those in former ages, says, "they did all eat the same spiritual meat; they all drank the same spiritual drink; for they drank of that spiritual rock that accompanied them, and that rock was Christ."

"The first man Adam was made a living soul; the second Adam, the Lord from Heaven a quickening spirit. As in Adam all die, so in Christ shall all be made alive."

The foregoing is nearly connected with another subject, which has given rise to more uneasiness than the preceding; which is

Relating to the miraculous birth, nature, and offices of Christ.

The manner in which the miraculous conception and birth of the Saviour is treated, appears to us not only to derogate from his divine character, but is calculated to destroy the veracity of the evangelists, as well as open the way to question, doubt, or disbelieve any other parts of scripture, when they do not agree with our own particular views.

It does appear to us, that when any one propagates a sentiment, "that there is more scripture evidence in favour of Jesus Christ being the son of Joseph than of God," the fair inference drawn from it is, that in his opinion, those testimonies of the evangelists, Matthew and Luke, (however plain and clear) are more likely to be true than true.

Amongst divers other assertions on this subject, are the following:—"The body of Jesus Christ was born of the Virgin Mary, and therefore could be no more than to the visible part but flesh and blood, as nothing else could emanate from what was of her. We see that this flesh and blood never could have been in any sense the Son of God; but a creature, created by God; by his power; because spirit and matter cannot be united together and make a being; nor make a son of God. Who was his father? He was begotten of God. We cannot suppose that the outward body of flesh and blood that was begotten of God, but a birth of spiritual life in the soul: we must apply it internally and spiritually, for nothing can be a son of God but that which is spirit: and nothing but the soul of man is competent for the light and spirit of God; therefore nothing can be a son of God but that which is immortal and invisible: nothing visible can be a son of God. By the use of reason, spirit cannot beget a material body, because the thing begotten must be of the same nature with its father. Spirit cannot beget any thing but spirit: spirit cannot beget flesh and blood: no, my friends, it is impossible."

The evangelist Luke is explicit on this subject: he says that the angel of the Lord, who appeared unto Mary, declared to her the divine purpose in these words: "The Holy Ghost shall come upon thee, and the power of the Highest shall overtake thee."

outward saviour to the world: that we do in more in the claim of Scripture both in prophecy and the fulfilment thereof in Jesus Christ, as they relate divinity and offices as a saviour.

The prophecy of Isaiah, alluded to by Simeon, under the influence of the Ghost, when he took the child Jesus in his arms, and applied it to him, is as follows: "It is a light thing that thou shouldst be my servant, to raise up the tribes of Israel, and to restore the preserved of Israel: I will also give thee for a light to the Gentiles, that thou mayst be my salvation unto the end of the earth."

Words could not set forth more clearly and satisfactorily, that he is indeed a universal saviour; for he who was to be God's salvation to the end of the earth, must have had power to save. Again: "I the Lord have called thee in righteousness, and will hold thine hand, and will keep thee, and give thee for a covenant of the people, for a light of the Gentiles, to open the blind eyes, to bring out the prisoners from the prison, and them that sit in darkness out of the prison house."

John, his forerunner, was sent to bear witness of him who was the true light, which lighteth every man that cometh into the world: and as it is evident from the testimony of Christ himself, that all things must be fulfilled which were written in the prophets concerning him; and this not being fulfilled in the outward manifestation, that it must be in his second appearance, by his spiritual light, that the Gentiles be lightened. The glad tidings announced to the shepherds at his birth, was to all people, (not to the Jews only:) the angel said unto them, fear not, for behold I bring you good tidings of great joy, which shall be to all people: for unto you is born this day a son, the first-born of many; who shall be called Emmanuel, which is interpreted, God with us, in the city of David, a Saviour, which is Christ the Lord. Here he is called the Lord when a new born babe.

Jesus said unto the woman of Samaria, "If thou knewest the gift of God, and what he saith unto thee, give me to drink, thou wouldst have asked of him, and he would have given thee living water: whosoever drinketh of the water that I shall give him, shall never thirst: but the water that I shall give him shall be in him, and it shall become of water springing up into everlasting life." Come unto me, (said he,) all that are weary, and heavy laden, and I will give you rest: my sheep hear my voice, and they follow me; and I give unto them eternal life, and they shall never perish: my father who gave them to me, is greater than all; and none shall be able to snatch them out of my father's hand: I and my father are one.

Now let us query: could not he who was to be God's salvation to the end of the earth: who promised to "give rest to the weary; eternal life to the sheep of his flock; and living water springing up into everlasting life," have any power to save the world, nor have any hand in it?

He was on no higher ground than mankind generally are: such a sentiment appears to originate from the divine character of our Lord. His immediate forerunner in whom there had not been a greater prophet born of a woman, a saviour of the world, a crucified one, &c. he that came to suffer me as predicted before me, &c. he was for me, &c. greater than I, the latchet of whose shoes I am not worthy to untie. He that cometh from heaven is above all. I indeed baptize you with water to repentance, but he shall baptize you with the Holy Ghost and fire."

His servants were servants, they had the spirit by measure, but he without measure; for it pleased the Father that in him should all fulness dwell, the fulness of him that is in all. Moses was faithful in all his house as a servant; but Christ, as an overruling house; whose house are we, if we hold fast the confidence, and the hope of the hope firm unto the end.

When he first begotten into the world, he saith, let all the angels and spirits praise him. And moreover, "God, who at sundry times, and in divers manners, spake in time past unto the fathers by the prophets, hath in these last days conversed with us by his Son, whom he hath appointed heir of all things, and by whom he made the world."

Now let us hear what he saith of himself: "I am the bread of life; he that cometh to me shall never hunger; and he that believeth on me shall never thirst: I am the true bread of life, and the life; no man cometh unto the Father but by me: I am the true vine and the life; he that believeth in me, though he were dead, yet shall live, and he that believeth in me, shall never die. I am the living bread which came down from heaven: if any man eat of this bread, he shall live for ever."

And that he made prayer after the last supper with his disciples, he saith, "Now, Father, glorify thou me with thine own self, with the glory which I had with thee before the world was."

Many other scripture testimonies might be adduced, if needful; but with these examples of the Son of God, we cannot for a moment unite with the sentiment, that he is not above us, because we fear it would be dishonouring or denying the Father. He that dishonoureth the Son, dishonoureth the Father who sent him. "and whosoever dishonoureth the Son before men, he also will the Son deny before his Father who is in heaven."

It has also been said, that "the offering of the body of Jesus Christ on the cross, is not an atonement for any sins but the legal sins of the Jews, and that his death is no more to us than the death of any other martyr."

We do not anywhere find it so recorded in the holy scriptures:—Paul says, "By his offering he hath for ever perfected them that are sanctified." and Peter, in general epistle saith, "Who in his own self bare our sins, in his own body on the cross, that we being dead unto sin, might live unto righteousness." Agreeably to this we find the prophecy of Isaiah; "Surely he hath borne our griefs, and carried our sorrows—the chastisement of our peace was upon him, and with his stripes we are healed, and the Lord hath laid on him the iniquity of us all—he bare the sin of us, and made intercession for the transgressors."

In this prophecy there is no mention of legal sins, but the iniquity of us all. Our Lord after his resurrection, said unto his disciples, "I foretold, and slow of heart, believe not that the prophets have spoken—these are the words which I spake unto you, that all things must be fulfilled which are written in law of Moses, and in the prophets, and in the Psalms concerning me. Thus it is written, and thus it behooveth Christ to suffer, and to rise from the dead; and that intercession should be made for us should be preached in his name amongst all nations." Agreeably to these and many other clear testimonies of scripture, we can afford to think that the laying down of the most precious life of the Son of God, was one part of the plan of redemption given him to do; which was accomplished when he exclaimed in the cross, "It is finished," and gave up the ghost. Hence the apostle commands to believe, "He is the propitiation for our sins, also for our sins, but also for the sins of the whole world."

We do not see the necessity of entering for her into the doctrine of the atonement, or intervention with the disciples of the New Testament; neither do we, excuse to apostles, the extent and efficacy of the sufferings and death of Christ. "Why did we seek to explore, or reconcile to our understandings, the work, or plan of

redemption, and the eternal inheritance, they do not receive, and shall be forever excluded from the kingdom of glory, because they have not believed. And this is a fearful warning to those who are not yet converted. It is a warning that if we do not believe, we shall be forever excluded from the kingdom of glory. We shall be forever excluded from the kingdom of glory. We shall be forever excluded from the kingdom of glory. — *Mat. 13.*

The same principle that has led us to believe that we have long believed is now being applied to the Jews and the Gentiles.

That is, we are to believe in the Gospel, and that we are not to believe in the Law.

However, we must not properly understand the Gospel, yet we must understand the Law, and we must understand the Gospel, and we must understand the Law.

My friends, let us not be afraid to believe in the Gospel, and let us not be afraid to believe in the Law. We shall be forever excluded from the kingdom of glory. We shall be forever excluded from the kingdom of glory. We shall be forever excluded from the kingdom of glory. — *Mat. 13.*

It is a great mistake to think that it is easy to know the mysteries of the Kingdom of Heaven. But to those who are in the Kingdom of Heaven, it is a great mystery. And it is a great mystery to those who are in the Kingdom of Heaven. And it is a great mystery to those who are in the Kingdom of Heaven. — *Mat. 13.*

The same principle that has led us to believe that we have long believed is now being applied to the Jews and the Gentiles.

That is, we are to believe in the Gospel, and that we are not to believe in the Law. We shall be forever excluded from the kingdom of glory. We shall be forever excluded from the kingdom of glory. We shall be forever excluded from the kingdom of glory. — *Mat. 13.*

How can the rational understanding of man comprehend the ineffable joys of the Kingdom of Heaven? This can only be conceived through the efficacy of that which is the substance of things as they are, and the evidence of that which is not seen.

It is a great mistake to think that we are not to believe in the Gospel, and that we are not to believe in the Law. We shall be forever excluded from the kingdom of glory. We shall be forever excluded from the kingdom of glory. We shall be forever excluded from the kingdom of glory. — *Mat. 13.*

In the visible creation we see many things beyond our comprehension. The moon and stars pursue their appointed courses, but we cannot comprehend the power that formed them, nor the wisdom that arranged, and still sustains them in wonderful order and harmony in which they unvaryingly move.

In the vegetable world we see the trees blossom, and bring forth fruit. The seed grows up and is reaped; but we know not how—there is an all-wise creative power operating in these things, far beyond the capacity of man to understand.

Indeed, the existence of an Almighty great first cause of all things, is the greatest of all mysteries; a cause without a cause; an eternal, intelligent, existing, all-potent—but no man being can comprehend the Deity, or form a clear and perfect idea—reason becomes prostrate in the dust—we cannot understand—we cannot argue—we cannot comprehend—but we must believe, and adore. — *Psalm 145.*

Nevertheless, if we rightly understand the maxim, that we are not to believe in the Law, but in the Gospel, it will aid us in our understanding of the Kingdom of Heaven. We shall be forever excluded from the kingdom of glory. We shall be forever excluded from the kingdom of glory. We shall be forever excluded from the kingdom of glory. — *Mat. 13.*

We apprehend that very many sincere minds who have adopted the maxim

be aware of the extent to which it may lead them; for these we feel a tender interest.

The delusive tendency however of these maxims we conceive must be readily seen, **when** it is recollected that many of the most refined reasoners have rejected the doctrines of the gospel, because their rational understanding could not comprehend its sublime truths.

They cannot comprehend how an all-wise intelligence can communicate his will **man** through the medium of divine inspiration; therefore they reject it as illusory. **They** cannot comprehend the mysterious union of the divinity and humanity of **Christ**; therefore they reject it as fabulous.

They cannot comprehend the reason why infinite goodness saw meet, that his **beloved** Son should lay down his life, and take it again; therefore they reject it as **barbarous** and cruel—thus denying the testimony of the Son himself, who expressly saith, **this** commandment have I received of my Father."

Shall we also, if our rational capacity cannot comprehend some portions of the **inspired** writings, therefore reject them as unworthy our regard? Nay, surely! Let **us** rather keep in view our limited capacity, and therefore be guarded against entering **into** reasonings and speculative inquiries, which lead us beyond, or above that **which** is given us to know; verily believing that the natural man receiveth not the **things** of the spirit of God, they are foolishness unto him, neither can he know them, **because** they are spiritually discerned, "therefore, without aspiring to be wise, above **what** is written concerning Jesus Christ, and the various offices ascribed to him; it **becometh** us to believe that infinite wisdom saw meet, that in the prepared body in **which** he took on him our nature; he was therein made capable of feeling our infirmities," "that he might be a merciful and faithful high priest, in things pertaining to **God**, to make reconciliation for the sins of the people; for in that, he himself hath suffered, being tempted, he is able to succour them that are tempted. Seeing then that **we** have a great high priest that is passed into the heavens, Jesus the son of God, let **us** hold fast our profession."

To conclude our views of the dignified character of our Lord and Saviour, **which**, that to place him on a level with all the sons of Adam, has ever appeared to us **to** derogate from his divine character and offices, which are abundantly ascribed to **him** in the Holy Scriptures, as a Saviour and Redeemer, Intercessor, Advocate with **his** Father, Atonement, Mediator of the New Covenant, Propitiation for our sins, **Embrace** of God, who taketh away the sin of the world, King of kings, and Lord of **all** things, unto whom, with the Father, is ascribed "blessing and honour, and glory, and **power**, for ever and ever."

Having thus far stated our objections to the most prominent points of doctrine **which** have occasioned our uneasiness, and also given our views as far as the present **occasion** appeared to require, we submit the same to the careful inspection of our **friends**. And seeing that union in faith, and doctrine, is the basis of religious **society**, we greatly desire to be preserved on that foundation in which true christian **fellowship** is enjoyed. If, however, we have in any respect deviated from it, we **request** our friends to point out to us wherein they apprehend we have, either deviated **from** the order of our society; or in what respect they conceive our sentiments are **not** in accordance with the doctrines ever held and maintained by the society.

ANNE WILLIS,
THOMAS WILLIS,
PIEBE WILLIS.

Third-month, 1826.

Page 167. Six Queries, &c. referred to by Thomas Willis.

JERICHO, ELEVENTH-MONTH 16TH. 1829.

Dear Friend,

Thy affectionate letter I have duly received, and its content, were grateful to my **best** feelings, as they appear to be the result of sincere friendship. But I may acknow-

ledge it was really marvellous to my mind, to think how it could be possible, that any person who is so much reluctant to propose to me such questions as are proposed to me by the friends of the Unitarian cause, as I should suppose that no person who I know of, who has been engaged in writing and lecturing before the public and in private, for many and many a year, for more than twenty years, would have the least scruple to credit to any of those irrational and false reports to which he is subjected, and through which I consider themselves now, of my notice, yet I feel it necessary to state, that I have replied to them severally.

1st *Query*.—Dost thou wish to be understood by any thing thou may have said, or printed, to deny the reality of the humanity or incarnation of the fleshly Jesus Christ, or to assert or believe that Jesus was his father?

Answer.—I have never been so foolish as to assert, from any youth up, that I had a belief in the incarnation, as a personification of the fleshly body of Jesus Christ, as it was called forth by the agency of the Spirit. And I may now assure thee that I never thought of Jesus as his father.

2nd *Query*.—Dost thou wish to be understood by any thing thou may have said, or printed, to deny the divinity of Jesus Christ?

Answer.—As respects the divinity of Jesus Christ, I remember no minister of the Gospel of Francis and I, or often in his public communications, asserted the divinity of Jesus Christ, the Son of God, whom I have, during my ministry, that he was descended up into heaven, and complete divinity of his heavenly Father. But I never asserted that Jesus Christ, the Son of God, was the *father of him* but that he was truly the Son of God, endued with power from on high, by which was enabled to usher in and introduce the new covenant dispensation, as prophesied before, by Jeremiah the prophet, when all outward meditation should cease, the law of God was now to be written on the inward table of the heart, and tables of stone, or with pen, ink, and paper; after which no man was to say neighbour or brother, know the Lord, for all shall know me from the least to the greatest. This is the covenant that I acknowledge, and I acknowledge no other; this I consider the only real gospel covenant.

3^d *Query*.—Dost thou wish to be understood as denying the authenticity of the Scriptures of truth, or as wishing to undervalue them; or would thou encourage to the frequent and diligent perusal of them, as being able, under divine illumination, to lead us into salvation?

Answer.—As respects the Scriptures of truth, I have highly esteemed them from my youth up, have always given them the preference to any other book, and read them more frequently than any other book, and I would recommend all serious and diligent perusal of them. And I apprehend I have received as much comfort and instruction from them as any other man. In fact they have instilled into me the sure and unshakable foundation, the light within, or spirit of truth, the only gospel foundation, that leads and guides into all truth, and thereby confirms salvation; which nothing else ever has, or ever can do. But why need I say these things, as all men know, that have heard me, that I confirm my doctrine chiefly from their testimony. And I have always endeavoured sincerely to place in their true place and station, but I never dare exalt them above what they really declare; and as no spring can rise higher than its fountain, so likewise the Scriptures can only direct to the fountain from whence they originated—the Spirit of truth; as said the apostle, "The things of God knoweth no man, but the Spirit of God;" therefore, when the Scriptures have directed and pointed us to this light in, or spirit of truth, there they must stop—it is their utmost—their truest

y.—Dost thou believe there is no accountability beyond the grave, or that state of rewards and punishments after death?

—This charge which I hear has been made against me, is altogether such a plain and palpable falsehood, that I can hardly believe that any man could be so wicked enough to fabricate such a story, nor that any man that knew about me, could give the least possible credit thereto; as I have spent a great portion of my time in travel and exercise, having travelled thousands and tens of miles, leaving behind me every tender and sweet enjoyment that this world, for no other cause than to promote truth and righteousness among my fellow creatures, that they might be prepared to die, and enter into that inheritance, prepared for the righteous, where the wicked cease from troubling, and every creature is at rest; fully believing that every man will reap the reward of his good and faithful service, or receive the sentence, depart from me ye workers of iniquity, I know you not.

y.—When thou speaks of our coming up to a level with the man Christ Jesus, what level do thou mean in our several capacities—I mean that the one talented servant faithfully occupying his one talent, is as perfect as the five talented servant occupying his?

—To this I need say but little, as thou hast given a correct solution of it. God is no respecter of persons, he, therefore, deals out to all his rational creatures with an equal hand, as is beautifully set forth by Jesus in the parable of the talents: had the one talented servant faithfully employed his one talent, and gained more, he would have stood as high in his Lord's favour, as the five talented ser-

vants, as his beloved Son had a much greater work on earth than any other man; he had a much greater fulness of the spirit than any other man; "For he whom God hath sent, speaketh the words of God: for God giveth not the spirit by measure unto him." John iii. 34. I believe with Peter, when he thus expressed himself of Nazareth a man approved of God among you by miracles, and wonders, and signs, which God did by him, in the midst of you, as ye yourselves also bear witness, Acts ii. 22. and again.

God anointed Jesus of Nazareth with the Holy Ghost and with power; who did great signs and wonders, healing all who were oppressed with the devil: For God was with him." Acts x. 38. "This 'Holy Ghost and power,' I believe is the only Sanctification which can cleanse the soul of man from sin, and give him an inheritance among the saints which are sanctified."

y.—What relation has the body of Jesus to the Saviour of man? Dost thou believe that the crucifixion of the outward body of Jesus Christ, was an atonement for our sins?

—In reply to the first part of this query I answer. I believe, in unison with all true Friends, that it was the outward garment, in which he performed all his works, or as Paul hath expressed it, "know ye not that your body is the temple of the Holy Ghost which is in you;" therefore, he charged them not to defile those who were anointed with oil. What is attributed to that body, I acknowledge and give to that body, in accordance with the Scripture attributeth it, which is through and *because of* the life which dwelt and acted in it. But that which sanctified and kept the body pure, and made it acceptable in him, was the life, holiness, and righteousness of the spirit. The same thing that kept his vessel pure, it is the same thing that cleanseth us. As to the second part of this query, I would remark, that I see no need of distinction between the type and the antitype, neither to the outward temple, nor yet to the inward, neither to Jesus Christ or his blood, outwardly; knowing that neither the mere profession of faith, nor the word of it, doth so direct. The new and second covenant is sealed with the *blood, the life* of Christ Jesus, which is the alone atonement for our sins. God, by which all his people are washed, sanctified, cleansed and redeemed.

And, it has always been the lot of the Lord's faithful servants, in every age and in every land, to be cried out against, and it makes good the saying of the apostle, "they that will live godly in Christ Jesus shall suffer persecution."

chap. xvii. 21, 22, 23. 1 John chap. iii. 1, 2, 3, 4, 5, 6, 7. chap. iv. 17. Eph. chap. i. 7. Rom. viii. 14, 15, 16, 17, 18.

[I.—55

I conclude thou hast not given thyself the trouble to read any of my public communications, as taken down by M. T. C. Gould the stenographer: as in them, objections are answered, in regard to my belief and doctrine:—Read * volume 1st first communication, and a letter I wrote to a friend in Chester county, Pennsylvania under date Seventh-month 22nd, 1827. in answer to four queries similar to those published I believe in the latter part of the fourth volume of the same work.

With love to thy dear wife and children, I remain
thy sincere friend,

ELIAS HICKS

We have been long acquainted with Elias Hicks, and most of us have been in the habits of familiar intercourse with him; and we believe that the sentiments contained in the foregoing letter are the same that we have always understood him to maintain.

New York, Twelfth-month, 1829.

Samuel Titus,
Eleazor Haviland,
Thomas Everitt,
Samuel Hicks,
Jesse Merritt,
Stephen Underhill,
Samuel Mott,
Isaac T. Hopper,
John Mott,

John Merritt,
John Barrow,
Benjamin Mitchell,
James Byrd,
Isaac Wright,
David Seaman,
Thomas Wright,
Samuel Pearsall,
Robert Moore.

Page 173. Exhibit No. 31. Minute or Testimony of Disavowment of Elias Hicks.

At the Meeting for Sufferings, held in New York the 6th of Seventh-month, 1829.

The Monthly Meeting of Westbury and Jericho, communicated to this meeting its minute of the 20th of Fifth-month last, its apprehension, that in consequence of the great extent to which the doctrines and opinions of Elias Hicks had spread, and the reproach thereby brought upon the Society of Friends, that its testimony issued against him required further publicity.

The proposition was deliberately considered, and united with: and in order to communicate this information to our members, the clerk of this meeting was directed to furnish a copy of the said testimony of disavowment, to each of the Quarterly, Monthly and Preparative Meetings, within the limits of this Yearly Meeting.

Extracted from the minutes of said meeting.

SAMUEL PARSONS, Clerk.

The Testimony of the Monthly Meeting of Friends of Westbury and Jericho, against Elias Hicks and his Doctrines.

Elias Hicks has been for many years in the station of a minister in our religious society, and formerly well approved amongst us; in which character he has travelled extensively, and obtained great influence with the members of the society: but want of abiding in a state of humble watchfulness, in which, by the power of divine grace, he would have been preserved in the truth, he has become exalted in his mind, and giving way to a disposition of reasoning, has indulged in speculative opinions, asserting that we must always take things rationally: and that we are not bound to believe any thing we do not understand. Thus declining to be restricted within

* A work called "THE QUAKER," containing sermons, etc. published by M. T. C. Gould, Philadelphia, in 4 vols. this work may be had of the publisher, at No. 6, North Eighth street, or of Isaac T. Hopper, No. 120, Pearl street, New York.

its of the christian faith, he has refused to yield his assent to religious truths which cannot comprehend; and has imbibed and adopted opinions at variance with some the fundamental doctrines of the christian religion, always believed in, and maintained by the Society of Friends; denied the existence or influence of an evil spirit the mind of man, distinct from his natural propensities; and has, in this state, entertained doubts of many of the important truths declared in the Holy Scriptures; especially as relates to the fall of man, and his redemption by Christ; and, in consequence, to call in question the divine authority of a great portion of the sacred writings, and even the authenticity of some parts thereof.

He has extensively promulgated his views in conversation, in writing, and in his public communications, endeavouring to destroy a belief in the miraculous conception of our Lord and Saviour Jesus Christ, undervaluing the miracles wrought by him; asserting that he was but a man, as liable to fall into sin, and lose his condition, like the rest of mankind; that he was on a level, and in a state of equality with them; an Israelite endued with a measure of divine grace, in common with the children of raham, and that the principal end of his coming was limited to the Jews.

And as he has denied the divinity of our Lord and Saviour Jesus Christ, he has fully rejected a belief in his holy offices, his propitiatory offering for the redemption of mankind; and has denied his resurrection and ascension into heaven, asserting that his body returned to the earth, where it will rest with our bodies to all eternity, and will be gathered up into its mother dust. He has also denied his mediation and intercession with the Father, as plainly set forth in holy writ.

Under the specious and captivating pretence of increased spirituality, and advancement in light and knowledge beyond our primitive Friends, and even beyond the apostles of our Lord, he has insinuated his unsound opinions into the minds of many of the members of our society, particularly within the limits of our own Yearly Meeting; and that of Philadelphia; and having gradually prepared them to receive his views, he has induced great numbers to embrace them; and has at length become the leader of a sect, distinguished by his name, yet, unjustly assuming the character of Friends; which first separated from the Yearly Meeting of Friends in Philadelphia, Fourth-month, 1827, on the ground of difference in doctrine, as they state in their stated address. They held a separate meeting in that month, and in Sixth and Seventh-months following; and also in Fourth-month, 1828; which last meeting Elias Hicks attended, gave it his countenance, and received a minute of its unity with him in his services.

At the Yearly Meeting of Friends in New York in Fifth-month following, he encouraged and supported a large number of those separatists in their intrusion into that meeting; many of whom had been regularly disowned from the society; yet he manifested his full unity with them, and with their meetings; and also took an active part with his followers in their disorderly and tumultuous proceedings; and continued connexion with those of similar views, in holding a separate meeting, which they called a Yearly Meeting. Since that time he has travelled into Ohio, Indiana, and elsewhere, encouraging his followers in holding meetings in different parts, in opposition to the order of our society.

His erroneous opinions published to the world, under his own signature, and also his printed sermons, which he has acknowledged to be generally correct, are read and testified against, in the epistle and testimony of our last Yearly Meeting held in New York, and in the declarations and testimonies of the Yearly Meetings of Friends in Philadelphia, Virginia, North Carolina, Ohio and Indiana; who are also supported therein by the testimony of the Yearly Meeting of Rhode Island, and the minutes of the Yearly Meeting of London: hence it is evident, that Friends of all these Yearly Meetings remain united together in the faith and fellowship of the Gospel.

For a number of years past, many of his friends have been deeply exercised on his account; and have been concerned from time to time tenderly to admonish and warn him; but he being in a confident state of mind, their admonitions have not had the desired effect: and the support which he received from many of his adherents, prevented the timely exercise of the discipline in his case, especially in the Monthly and Quarterly Meetings of which he was a member: but the separation taking place at our last Yearly Meeting, and this Monthly Meeting being now in a situation to ex-

and the necessary care therein, the same has been duly attended to, and the order of our society, to convince him of his errors, which having been in manner rejected by him, it becomes our accountability for the clearing of our religious society from the imputation of his unsound opinions, and to be thereby brought upon it, to testify and declare, that they are not, nor ever had the doctrines of the Society of Friends, and as we can have no unity with the fellowship with him therein, we do hereby disown him, the said Ezra H., being a member of the religious Society of Friends desiring, nevertheless, through the convictions produced by the operation of the holy spirit, to be brought to a sense of his errors, and through sincere repentance may obtain salvation which is freely offered through our Lord and Saviour Jesus Christ.

Signed on behalf, and by direction of the Monthly Meeting of Friends at Westbury and Jericho, held at Westbury the 29th of Fourth month, 1829.

By VALENTINE WILLETS,

Page 316. Extracts from the "Minutes of the Quarterly Meeting of Westbury, vol. II. marked Exhibit No. 12.

First extract relative to the School Fund, under date of 24th of Eleventh month, 1778.

Our friends George Churchman, Thomas Lightfoot, James Moore, Warner Benjamin Hoagh, and Samuel Smith, attended this meeting as part of a committee appointed by our last Yearly Meeting to assist the Quarterly Meeting in the weighty matters recommended to the notice and consideration of Friends, the education of our youth in our families, and in respect to their school education, also, respecting the many deficiencies pointed out in the reports to the Yearly Meeting, and a copy of a minute of the last Yearly Meeting on those heads being read by them and read, and coming under the weighty consideration of the meeting, the following Friends are appointed to go into the service as way may open, and with such committees as the Monthly Meetings may appoint on the same, viz: William Jones, Daniel Smith, Samuel Allenson, Benjamin Clarke, Joseph Smith, Joshua Gibbs, William Satterthwaite, John Hoskins, Joseph Homer, Black, Joseph Moore, and John Gaunt.

Second extract, 1st of Twelfth-month, 1778.

The subject of schools, as recommended in the extracts from the minutes of the last Yearly Meeting, and in the printed proposals of the Yearly Meeting's committee being now considered, it is concluded to recommend to the several Monthly Meetings for each of them to appoint a committee of suitable Friends to take that matter under their particular care and close attention, that the important work go forward as speedily as may be. And the following Friends are appointed to unite with the said Monthly Meeting's committees, as there may be occasion to report thereto at next Quarter, viz: Daniel Smith, Aaron Wiles, John P. Isaacs, Robins, Joseph Ridgway, Benjamin Jones, Nathan Wright, Henry C. Benjamin Clarke, and Jonathan Pettit.

Third extract, 24th of Eleventh-month, 1783, at Chesterfield.

A pious care respecting the education of our youth having renewedly claimed the attention of the Yearly Meeting, and it being observed that the liberal provisions before recommended for their school tuition had failed in some places to take the conclusion of that meeting in 1778 on this deeply interesting subject, is urged to the religious attention and diligent care of our Quarterly, Monthly, Preparative Meetings, who are desired by the Yearly Meeting to make reports year of their progress herein. And the subject spreading with some weight is again recommended to the due attention of our Monthly and Preparative Meetings. And the committee of this Quarter now reporting they had attended to the

but had nothing particular to remark since their last report, they are released, and the following Friends appointed a committee thereon, viz: George Dillwyn, Daniel Smith, John Hoskins, Aaron Wills, Samuel Middleton, Richard Wain, John Ellis, Benjamin Clarke, Joseph Moore, William Clarke, Barzillai Furman, Nathan Robins, Aaron Ivins, Joseph Pancoast, John Comfort, Aaron Smith, Daniel Doughty Smith, Thomas Gaskill, Abner Rogers, Aaron Large, and Eli Mathews. And it is desired that accounts of our progress herein may be brought forward timely, to go from this to the ensuing Yearly Meeting.

Fourth extract, 29th of Eleventh-month, 1790, at Chesterfield.

Friends' concern for the promotion of well regulated schools, and the establishing funds for that purpose, being revived by the extracts now read, that subject is again recommended to the committee heretofore appointed on the service.

Fifth extract, 25th of Fifth-month, 1792, at Chesterfield.

In pursuance of our appointment to consider in what manner and to what purposes the stock of the Quarterly Meeting and the old meeting houses in Burlington shall be appropriated, we have met, (five of the committee excepted,) and after deliberating thereon, unanimously agree to propose, that the sum of two hundred and twenty-five pounds of the surplus of the stock, above the standing sum of three hundred pounds, should be divided among the several Monthly Meetings, in proportion to the said meeting's quotas toward the Yearly Meeting's stock, and that the same be applied by the said Monthly Meetings toward the promotion of schools, answerable to the recommendation of the Yearly Meeting, by establishing permanent funds within such of the meetings where none have been heretofore established, or in addition to such as are already established.

Sixth extract, under the same date.

By a verbal report on behalf of the committee on schools, a fresh concern was now revived, and divers solid and lively remarks made respecting the right education of children. The meeting concludes to release the former committee, and the following Friends are appointed to take the matter under their care, and to visit the Monthly and Preparative Meetings throughout the Quarter, if way should open, and endeavour to encourage and promote the establishment of funds, &c. agreeably to former recommendations of the Yearly Meeting, viz: George Dillwyn, John Cox, jr. Nathaniel Coleman, Joseph Buzby, John Hoskins, Elijah Field, Benjamin Clarke, Nathan Middleton, Isaac Collins, William Abbott, Daniel Parker, Richard Birdsall, Hezekiah Jones, Daniel Doughty Smith, George West, Abraham Brown, Nathan Wright, William Satterthwaite, Joseph Pancoast, William Stevenson, William Newbold, Samuel Sykes, and Richard Wain.

Seventh extract, 26th of Eighth-month, 1793, at Burlington.

The committee appointed to the care of schools within the Quarter, report in writing as follows:—At a meeting of the Quarterly Meeting's committee on schools at Burlington, 26th of Eighth-month, 1793, reports verbally, and in writing, being collected from the several meetings, it was agreed to report to the Quarterly Meeting that there are schools in three of the Preparative Meetings within the Monthly Meeting of Burlington under the care of trustees, with funds established in each: that there is one school within the Monthly Meeting of Chesterfield, with a fund established, to which there has lately been some addition.

Eighth extract, under the same date as the last.

The subject committed to our care respecting the division of the surplus of the stock towards the establishment of funds, &c. has been attended to, and the greater part of the money already distributed, signed by direction of the committee, by Ben

James Clarke. The substance of the foregoing report was also directed to be forwarded to the ensuing Yearly meeting.

Extracts from the first volume of the Records of Burlington Quarterly Meeting.

At a Quarterly meeting held at Burlington 24th of Second-month, 1778.
 Sundry of the members of this meeting having some reason to believe that affairs have happened within the compass of this Quarterly meeting, by which the reputation of the society is nearly affected, and Friends at this time under a concern for the cause of truth, do appoint Robert Smith, Joshua Raper, Josiah V. Josiah Foster, Hugh Harrison, Joseph Burr, Joseph Noble, and Caleb Hall a committee, and empower them to call to their assistance such Friends who may judge may be useful therein, to appoint time and place, and to search carefully the matter; and if any disorder appears, to diligently endeavour in the way of truth to have it regulated, and report next meeting.

Extracts from the same records, referred to and read by John Gummere.

First, p. 76. vol. ii. 23d of Second-month, 1778.

The committee appointed at our last meeting to visit the Monthly and Preparative meetings, &c. in order to labour as ability may be afforded by the great Majority the necessity of and promote a reformation in our religious society, have acquainted this meeting that they have met several times, and solemnly considered the importance of the work, and apprehending that an alteration of the time of holding some of the Preparative meetings will be useful to expedite and assist the work, and having proposed a list of the same for that purpose, this meeting, on a vote thereof, concurs therewith, and directs the clerk to forward to the several Monthly meetings, copies of the said list, so that the times of holding the said Preparative meetings now agreed to, may be made known, and generally understood, and the visits are performed, the meetings so altered to return to the usual times of holding of them.

Second, vol. iii. p. 71. 25th of Eleventh-month, 1800.

A minute from the Monthly meeting of Chesterfield was produced and read, forming that they had united in the establishment of a Preparative meeting at Bordertown, to be held on the last Fourth-day in each month, upon consideration appeared to open most in the line of satisfaction to appoint a committee of six Friends of that meeting, and report to our next Quarterly meeting their proposals, the propriety of holding a Preparative meeting there.

Third, p. 75. the same case continued.

Committee continued.

Fourth, p. 78. 26th of Fifth-month, 1801.

We, the committee appointed in Eleventh-month last to consider of the propriety of establishing a Preparative meeting at Bordertown, have met with Friends of that meeting, and after several meetings engaged ourselves, wherein the subject has been our soad deliberation, we have not been able to unite in the propriety of holding a Preparative meeting there at this time, which we submit to the Quarterly meeting, which being twice read, was concurred with.

Fol. iii. p. 231. 31st of Eighth month, 1819.

Chesterfield Monthly meeting proposes that a public meeting for worship be established at Trenton, to be held on First day afternoon, and to begin at 3 o'clock from the 1st of Tenth-month to the last of Third-month inclusive and at 4 o'clock

the remainder of the year: on deliberation it was concluded to refer the subject for next meeting's attention.

P. 233. 30th of Eleventh-month, same subject continued.

Referred again Eleventh-month 30th.

P. 235. 20th of Second-month, 1820.

The committee on the establishment of an afternoon meeting at Trenton report, that in conjunction with a committee of the women's meeting, they have attended to the appointment, and that it did not appear to them that the time was come for the establishment of said meeting, which report is concurred with. The clerk is directed to furnish the Monthly meeting of Chesterfield with a copy of this minute.

Vol. iii. p. 269. Third-month 1st, 1825.

It having been stated to this meeting that Chesterfield Monthly meeting has in one or more instances received into membership persons who stood disowned by other meetings, it is on consideration concluded to appoint a committee to inquire into the case, or cases, and the circumstances connected therewith, and report to our next, or a future meeting:—to which service — — — are appointed.

Vol. iii. p. 270, 271. 31st of Fifth-month, 1825.

The committee appointed at our last meeting to make inquiry respecting Chesterfield Monthly meeting's receiving persons into membership who stood disowned by other meetings, reported that they had attended to the appointment, and it appears that a person who was disowned in England, made application to that meeting to be admitted a member of our religious society; and in Fifth-month, 1823, he was acknowledged accordingly: that several Friends there, particularly those of the Preparative meeting within which the applicant resided, had knowledge of his disownment.

In Ninth-month following, he obtained a certificate of removal, and returned to England; but the meeting to which it was directed declining to receive him a member under such circumstances, returned the certificate to Chesterfield Monthly meeting.

A few months after the reception of this person, another, who had been disowned in Ireland, was, on his application for that purpose, admitted into membership: and it appears when he made the application, the circumstances of his having been disowned was known to some of the members there.

Upon deliberate consideration, it is the judgment of this meeting, that the persons above alluded to are not members of our religious society, and that this conclusion be communicated to Chesterfield Monthly meeting by the clerk's furnishing it with a copy of this minute; and that Monthly meeting is desired to inform said individuals of this result.

The committee last named further reported, that

Another case existing, (but of previous occurrence,) we think it expedient to present it to the Quarterly meeting:—A person who was a member of our religious society, having removed from his Monthly meeting without a certificate, he separated himself from the society, and in various instances acted contrary to our discipline and principles, but was not (as far as appears) testified against by the Monthly meeting. Some years afterwards, when he was desirous of being joined in membership with Friends, (the Monthly meeting where his right had laid being, as was understood, dissolved,) he made application to Chesterfield Monthly meeting, where in Seventh-month, 1822, he was acknowledged as a member; but previous to his application he informed several of the members of that meeting how he was circumstanced, and advised with them respecting the application; which case the meeting not feeling prepared to decide upon at this time, is referred to our next meeting.

1. $\mu_1, \mu_2, \dots, \mu_n$ are the eigenvalues of A and B respectively.

The report referred to is not relating to the receiving the reception of a paper by the minister. I have not been able to find it in the records, which would have a right of admission, and a subject of a book signed by the minister, and it is not clear from the meeting that the proceedings of the Methodist Monthly meeting in the case of the association, and that that meeting be informed of the conclusion by the clerk's affirming it, with a report of the matter.

Vol. in p. 206 to 289, 29th of Fyfe. month, 1827.

At Burlington Quarterly meeting held at Faneuilch, 2nd of February, 1837.

The following report on our last Yearly meeting was received and read, and the reports for July, 1891, were mostly present at the meeting.

At a Yearly meeting held at Philadelphia by adjournment from 14th of Fourth month to 2d of the same month, 1827.

An exercise was made, and prevailing on account of the present state of our religious society, and the meeting being informed that our women's meeting have concluded to adjourn a committee to visit the Quarterly and Monthly meetings, as they may open, in unity with them therein for the strength and assistance of their meetings in the due support of a regular order and discipline, the following Friends are named, and the respective meetings are directed to accommodate the committee by making such arrangements as may be needful to facilitate the performance of the service, viz. Hinchman Gaines, Abraham Pennell, Jonathan Evans, Thomas Wiering, Samuel Battle, Joseph Whitely, Thomas Stewardson, Benjamin Cooper, Christopher Heely, William Jackson, William Newbold, Edward Temple, Charles Shoemaker, and John Comfort of Sohierbury. Extracted from the minutes.

SAMUEL BETTLE, Clerk.

The extracts from the minutes of our last Yearly meeting were received and read, and the usual number of copies appropriated to our several Monthly meetings.

Fol. no. p. 293, 27th of Eleventh month, 1847.

At Burlington Quarterly meeting, held at Chesterfield, the 27th of Eleventh-month, 1827. The representatives being called were all present, except one, for whose absence a reason was assigned. It being ascertained that several persons are present, who have been disowned by the Monthly meetings to which they respectively belonged, or are at present under dealing in them, and who after being affectionately requested to withdraw, refused to do so—it is concluded, in conformity with our established practice, of not transacting our business when such are known to be present, to adjourn the meeting to meet in Burlington, on Sixth-day next at ten o'clock in the morning. Then adjourned accordingly.

At Burlington the 30th of Eleventh-month, 1827, the meeting again assembled pursuant to adjournment.

A deep exercise having prevailed over the meeting during the reading and answering of the queries, on account of many deficiencies that are apparent among us—and it again returning in connexion with a feeling for the present tried state of some of our subordinate meetings—it is concluded after solid deliberation, to appoint a committee, to unite with a committee of the women's meeting, if they should name one, to visit our different Monthly and Preparative meetings, to afford where it may appear necessary, such advice and assistance as may be needful to a due support of our salutary order and discipline, and to report to a future meeting. To this service the following Friends are named, Samuel Emlen, Samuel Craft, Rowland Jones, John Bishop, Joseph Hendrickson, Simon Gidam, Peter Ellis, Samuel Wills, William Newbold, Samuel Hunting, Eli Mathis, Stephen Grelet, and Joseph Satterthwaite.

Vol. iii. p. 301. to 309, 20th of Second-month, 1828.

At Burlington Quarterly Meeting, held at Burlington the 26th of Second-month, 1828.

The committee appointed at last meeting to visit our Monthly and Preparative meetings, produced the following report, which was approved by the meeting. The committee are continued, and are desired to afford advice and assistance at such places, and in such cases, as to them may appear needful, and report to the Quarterly meeting of Friends, of Burlington. "The committee of men and women Friends appointed at our last Quarterly meeting, to visit the Monthly and Preparative meetings belonging thereto, to afford where it may be necessary, such advice and assistance as may be needful to a due support of our salutary order and discipline, reports that part of their number have attended at different times all the subordinate branches of the Quarterly meeting, some of them several times, except three Preparative Meetings, viz: East Branch, Stony Brook, and Lower Mansfield, and endeavoured to afford such assistance in the important objects of their appointment, as they were capable of, and now submit the following summary of their proceedings and observations for the information and consideration of the Quarterly meeting. In Twelfth-month, several of the committee attended the Monthly meeting of Burlington, where its appointment was duly recognised; at the close of the meeting, however, a person made an attempt to produce a separation among the members, but without effect; at the next Monthly meeting, where some of the committee were present also, the same person, (Joseph Lundy,) made another similar attempt, by publicly desiring those present, who were disposed to unite with what he termed the newly organized Yearly meeting, to stop together at the close of the meeting; which a number of both men and women did, together with Halliday Jackson, who it appears was there, under appointment of the said newly organized Yearly meeting, for the purpose of promoting a separation in our meetings. And as some of us were afterwards informed, they then concluded to meet in the following month, in the character of a Monthly meeting, at Old Springfield; but, nevertheless, at the following Monthly meeting at Burlington, on the 4th of this present month, many of these persons again attended, with several from other places, and among them a man who was known to be under dealing in the Monthly meeting at Mount Holly, viz: Amos Bullock. Soon after the minute for opening the meeting for business was read, he was requested to withdraw, but being supported in his intrusion by several of those who had taken part in the disorderly proceedings of last month, he declined a compliance with the request, though it was often and earnestly repeated: under this circumstance, Friends concluded it best to adjourn the Monthly meeting until the next day, which was accordingly done by both men and women Friends; and the meeting was then held without interruption. But these disorderly persons, on the preceding day remained together in the meeting house, and assumed to act as a Monthly meeting, and it is understood agreed to meet again in that character the next month, at Old Springfield meeting house. In Twelfth and First-month last, several of the committee attended the respective Preparative meetings of Burlington, Ancocus, and Old Springfield; in the first mentioned of these meetings, they were without difficulty recognised as acting under the authority of the Quarterly Meeting; and though at Ancocus difficulties presented, and a considerable opposition was manifested by some, yet Friends were ultimately favoured to get through the necessary business, consistently with the order of our discipline.

At Old Springfield, in Twelfth-month last, the person who acted as clerk for the day in the men's meeting, together with several others, refused to acknowledge the authority by which the committee was appointed: among the women no opposition was manifest. At the next Preparative, in First-month, the business was conducted apparently pretty much as usual, the Preparative meeting, and that of Lower Mansfield, both occurring in usual course, on the 17th of First-month, and those of Ancocus and Burlington, both on the 31st.; requests were sent to Burlington and Lower Mansfield, that the first might be adjourned to next day, and the latter for one week, in order to afford opportunities for the attendance of the committee; from some cause this was not done at Lower Mansfield. But it was at Burlington, where the usual business of the Preparative meeting was at the adjournment transacted in quietness, in harmony, for ought that appeared.

At Chesterfield Monthly meeting, held in Twelfth-month last, most of the committee attended, where notwithstanding the disorderly disposition which had heretofore been manifested by some who were present, the meeting was enabled to transact

its business without much open opposition, though a number who stood behind when the meeting closed, and as is understood, then undertook to act as the Monthly meeting of Chesterfield, afforded sorrowful evidence of their disregard of the order and the preservation of the unity of the society. In First-month most of the committee were again present at this Monthly meeting; after closing the shutters in order to proceed with the business, a request was made in the men's meeting, that if there were any present who had not a right to sit in our meetings, consistently with the order of our society, that they would withdraw, and after time being given for it, no one acknowledging this to be his case, Friends proceeded in the business; but after two or three subjects had been disposed of, a person, (Henry Zollickoffer,) rose and said, that being a stranger to most present, he was not easy to let the meeting proceed further without informing it, that he was a member of the Monthly meeting of Philadelphia, connected with the Quarterly meeting of Abington; this declaration of his union with a meeting or body, set up for the purpose of opposition to our discipline, together with his declining to answer the inquiry which was made, whether he was under dealing in, or disowned by any Monthly meeting, afforded solid ground for believing that he had not a right agreeable to our discipline, to sit in the meeting; and several of those persons who had repeatedly acted contrary to our order in our meetings, expressing their desire for his continuing present, and he not complying with the requests which were made, that he would leave the meeting, it became necessary to deliberate on what course it would be best to take; and whilst thus engaged, information being received from the women's meeting that they could not proceed with their business, on account of the presence of a person whose case was on their minutes as an offender, and who declined to leave the meeting, and they requesting advice on the subject, it was upon due deliberation thought best to adjourn the Monthly meeting to the house of our friend Sarah Chapman, to meet there forthwith, and accordingly both men and women met and transacted their remaining business there; but before the men's meeting adjourned, it was openly and distinctly stated that they did so to avoid contention in the support of our order, but that they did not thereby relinquish or abandon the rights to which they as composing the Monthly meeting of Chesterfield, were justly entitled.

At the Preparative meeting of Bordentown, several of the committee attended on the 26th of Twelfth-month, 1827, where they found an almost total departure in the members thereof, and among the men, more especially from subordination to superior meetings and the discipline, only one male, and three or four females appeared to be desirous of supporting our order. At Chesterfield Preparative meeting the next day, the 27th of Twelfth-month, several of the committee attended: the person who acted as clerk, together with a number of other persons, assuming the control of the meeting, he and they now refusing to acknowledge the Quarterly meeting's committee, and appearing to throw off all subordination to the Quarterly meeting, and determined to proceed without regard to the order of the society, notwithstanding the remonstrances made by several of the committee, as well as some of their own rightly concerned members, these latter with those of the committee present, believing it improper to give countenance to such disorderly proceedings by remaining present, after informing woman Friends of their conclusion, and it being publicly stated on behalf of Friends, that by retiring for peace sake, they did not thereby mean to relinquish any of their rights as composing the real Preparative meeting of Friends of Chesterfield, and that they considered those persons whom they now left in the meeting house, as usurpers;—they withdrew to a private dwelling in the neighbourhood, to which women Friends also came, and the business of the Preparative meeting was there transacted.

At the Preparative meeting of Trenton, held in Twelfth-month, several of the committee both men and women attended, where it was found among the men, that the clerk and others were disposed to maintain the discipline and good order, and their business was transacted accordingly, although there were some present who appeared opposed to both it and the committee,—among the women, the person who had for some time before acted as clerk, having joined the separatists, and women Friends having her case on the minutes of the Monthly meeting on that account, she being present, declined to withdraw; and they were under the necessity of waiting until men Friends left the apartment they had occupied, and they then went into

it and transacted their business. In First-month, the regular Preparative meeting was adjourned for one week, at the request of the committee, but several persons regardless of good order, remained together after the adjournment, and undertook to act in the character of the Preparative meeting of Trenton. At the time adjourned to, the meeting was regularly held without interruption.

At Upper Springfield Monthly meeting, held in Twelfth-month, several of the committee were present, the minute of their appointment was read, and the authority of the Quarterly meeting recognised, but not without opposition from several, who manifested their disapprobation of the committee sitting in that capacity among them; yet some of these persons appeared afterwards disposed to take an active part in the course of transacting the business, and did so.

At that Monthly meeting held in First-month following, Henry Zollickoffer and several other persons, who were known to be under dealing in, or disowned by the Monthly meeting having cognizance of their cases, having intruded themselves into the meeting, and refusing to leave it when requested so to do, and the women's meeting being similarly circumstanced, and both being thus consequently prevented from proceeding with their business, removed to a school-house on the same lot, after it was explicitly stated that by leaving the meeting house for the present, they did not mean to be understood as relinquishing their right to it; and after some consultation on the exigency, did adjourn the Monthly meeting to Mansfield meeting house, on the following Sixth-day, where it was accordingly held in quietness, and Friends agreed to meet at the same place the following month, which they did.

On Fourth-day the 16th of First-month last, several men and women of the committee attended Upper Springfield Preparative meeting, where they found a few of each sex, together with the clerks of the men's and women's meetings, disposed faithfully to support the discipline and good order of the society.

On Fifth-day the 17th of the same month, some of the committee attended the Preparative meeting of Upper Freehold, but nearly all the members present, together with the clerks, both among the men and women, evidently manifested an unwillingness to receive the committee as sent by a superior meeting, and evinced a disposition to act as connected with the people, who have set up and held meetings contrary to our discipline, which misconduct was testified against, and the few Friends who remained with the committee after those who had assumed to transact business had left the house, were advised and encouraged to remain firm and faithful, notwithstanding their very trying situation.

On Fourth-day the 30th of last month, several of the committee attended the Preparative meeting of Mansfield, where it was found that a considerable number of both sexes, together with the clerks, were desirous faithfully to maintain our discipline and order, but there were others who evinced a very contrary disposition, and also some who were under dealing by the Monthly meetings to which they belonged, for disorderly conduct, being present and refusing to withdraw, Friends thought it best to retire elsewhere, to transact the business of the Preparative meeting; the men went to the school-house on the same lot with the meeting house, and the women to a Friend's house near, where they respectively transacted their business.

Friends of Mount Holly Monthly meeting having been for several months past deprived of the use of three houses belonging to them, within the verge of that Monthly meeting, by those disorderly persons, who have undertaken to renounce their subordination to, and connexion with our Quarterly meeting; they now meet for the purpose of public worship in a school-house, in the town of Mount Holly, where the women Friends hold their meetings for discipline. And the use of a room in an adjacent building has also been obtained, where the men Friends transact theirs.

This Monthly and Preparative meeting has been several times attended by some of the committee, who have had satisfaction in sitting with those few Friends, and in observing their faithful endeavours for the support of our order and discipline, and it is very evident that under the weight of the charge devolved upon them, they with others in several parts of our Quarterly meeting, have a strong claim to the sympathy and aid of their fellow labourers, engaged in the same righteous cause.

The Monthly meeting of Little Egg Harbour, was attended by some of the committee in Twelfth-month, and in this month also, together with the Preparative meetings constituting it, viz: Barnegat and Little Egg Harbour, all which are held in a

quiet manner, and for ought that appeared, in due subordination to the order of religious society.

It appears that those persons who heretofore were in connexion with our society but have broken the bonds of religious fellowship, and assumed to set up and meetings, which they call Quarterly, Monthly, and Preparative meetings, have taken the control of the meeting houses belonging to Friends at Mount Holly, Centtown, the Mount, Chesterfield, Bordentown, and Upper Freehold, and that a few exceptions, Friends are at times subjected to great interruptions, when they occupy the others within the verge of this Quarterly meeting; signed on behalf by direction of the committee, all being present except two.

SAMUEL CRAFT.
SUSANNA NEWBOLD

Burlington, Second-month 25th, 1828.

Page 349. Proposition for an "Amicable Settlement of Differences in respect to party," marked Exhibit B, on the part of Decore and Shotwell.

To the Friends of Chesterfield Monthly Meeting, called Orthodox.

Dear Friends,

The circumstances under which our Monthly meeting has been placed, in consequence of your withdrawing from the meeting held on the eighth day of First-month last, as well as at other times, has rendered it obligatory on us to disclaim any ill will or intention, neither do we in conscience believe, we have acted so inconsistent as to deprive you of the right you may possess in common with the other members of religious society, of assembling yourselves with us, either for the purpose of worship or discipline; and as we fully believe it to be incumbent on us, to endeavour to do to others as we would have others do to us, we now offer, if you cannot consistently continue to join with us in our meetings, to make such arrangements as may be agreed upon by suitable persons, in order to accommodate both you and ourselves. As the object of all religious associations ought to be the promotion of happiness and comfort of its members, it is our sincere desire that you may accede to some agreement by which that happiness and comfort may be maintained, as becomes our Christian profession.

Signed in and on behalf of Chesterfield Monthly meeting of Friends, held the 25th day of Second-month, 1828.

JEDIAH MIDDLETON, Clerk.

Page 366. Statement of Facts referred to by Abraham Lower.

At an adjourned Monthly meeting of Friends held at Green street, Philadelphia, the 4th of Tenth-month, 1827.

A verbal committee having been appointed at our Monthly meeting in Second-month last, to prepare a statement of our grievances in order to be laid before the Yearly meeting, produced at a succeeding meeting a document which was read and approved; and the subject again claiming the consideration of this meeting, it was on the 20th ult. submitted to a committee for re-examination, with instructions to make such amendments and additions as more recent occurrences render expedient, and submit the same for the consideration of an adjourned meeting. The following statement produced by them being now read and deliberately considered, was united with, and directed to be recorded on our minutes. It was referred to the committee, to make such further disposition thereof as may appear most adviseable.

Extracted from the minutes.

JOSEPH WARNER, Clerk.

A STATEMENT, &c.

Believing that the present affecting state of our religious society demands that the facts which have been essentially its procuring cause, so far as Green street Monthly meeting stands connected therewith, should be faithfully developed; and that the time has fully arrived when such an exposition should be made, for the justification of the character of our Monthly meeting, and for the purpose of fairly exhibiting its proceedings, that all may judge of them as they really exist; this Monthly meeting conceives it has become its duty to record the following statement.

When the Quarterly meeting of Philadelphia consented to the establishment of Green street Monthly meeting, the discipline which had been adopted by the Yearly meeting of Philadelphia, was consequently admitted to be the rule which should regulate the operations of both the Quarterly and Monthly meetings. In this book of discipline is the following clause in relation to Friends who may be concerned to visit, as ministers, the different meetings of Friends, out of the limits of this Yearly meeting, viz:

"Agreed, that when any Friend is religiously concerned to make a visit to the meetings of Friends beyond the limits of this Yearly meeting, and has obtained a certificate for that purpose from the Monthly meeting of which he or she is a member, that the concern be also laid before the respective Quarterly meeting for its concurrence and endorsement," &c. *Page 66.*

With such a certificate, and so endorsed, a ministering Friend applied, in Twelfth-month, 1822, to visit the families of this meeting, which service being nearly completed, he attended our Monthly meeting, and on presenting his certificate, an endorsement expressive of our unity with his gospel labours amongst us, was, without a dissenting voice, directed to be made on it. After which an elder of our meeting, in his official capacity, in conjunction with several others, elders of the other city meetings, (who, at this time, and previously, composed a self-constituted meeting of elders, concerting measures out of the order of society,) signed a paper which impeached the gospel ministry of the said Friend, and thereby counteracted and arraigned the judgment come to by this meeting: although this Friend, our elder, was present when the endorsement was made, and so far concurred with it as to observe, when a proposition was made to alter it, that he "thought it would do."

We are thus particular in stating these circumstances, because we conscientiously believe that the sorrowful dissensions amongst us, have, in great part, grown out of this combination of elders.

Next in order we think it right to state, that in consequence of this and other acts of opposition to the Monthly meeting, the aforesaid elder was taken under care of the meeting, through the medium of its overseers. After which this Friend, in connexion with several others, parties in the question at issue, (who together composed the greater part of our Preparative meeting of ministers and elders,) requested assistance of the Quarterly meeting of ministers and elders in an abstract unspecified case: which request was acceded to, and in Eleventh-month, 1823, a committee was appointed. This committee was continued in service more than a year. Within that interval, and after continued but unavailing efforts to effect a reconciliation, a conclusion was come to by this Monthly meeting, to release the aforesaid Friend from the station of an elder. The committee then made a report, in which they complained that Green street Monthly meeting had, in a summary way, taken the business out of their hands. But this allegation, we conceive, is not well founded. Because, as before observed, it can be proved by the Friend's own acknowledgment, that the meeting by its overseers, had his case previously under care; and moreover, the aforesaid committee had no case specified, as the discipline directs.

We object to these proceedings for the following reasons, viz:

1. Because a considerable proportion of the most influential and active members of the Quarterly meeting of ministers and elders, being of the number of those that composed the self-constituted meeting of elders before alluded to, were parties in the case, and consequently, it could not be expected that they would adjudge against their own cause.

2. Because the Preparative meeting of ministers and elders was not united in making the request. And

3. Because those individuals who made the request were parties in the case.

The next thing we notice is the circumstance that in Eleventh-month, 1824, the Quarterly meeting of ministers and elders presented a remonstrance to the general Quarterly meeting in the case of the Friend before alluded to, which arraigned Green street Monthly meeting before that meeting.

In addition to this, a memorial was presented by the Friend himself, complaining of the conduct of our Monthly meeting in his case. This memorial was read by the clerk immediately after the remonstrance, without observing the usual order of society, which has been to appoint a committee to examine all unofficial documents, previously to their being read: the clerk thus taking on himself the responsibility of introducing into the meeting *a complaint from one party*, which now appears on record against us. These papers were admitted, or rather forced on the minutes of the general Quarterly meeting, contrary to the judgment expressed by a large part of said meeting.

In reference to these transactions, we remark, 1. That the Quarterly meeting of ministers and elders, in taking up the case, or in making any representation to the general Quarterly meeting in relation to the subject, and more especially by its arraignment of our Monthly meeting or its proceedings, committed a direct infraction upon that part of our discipline, which declares, that "none of the said meetings of ministers and elders are in *anywise* to interfere with the business of *any meeting for discipline*." Page 67.

2. The general Quarterly meeting by entering this remonstrance on its minutes, and by acting upon it, sanctioned this violation of our discipline, and thus became a party against one of its branches, and by that act, virtually absolved Green street Monthly meeting from further accountability to it as a superior meeting.

3. By admitting the memorial of our elder, as aforesaid, the Quarterly meeting sanctioned and became accessory to a violation of the first principles of gospel order, recognised by our discipline, viz: that endeavours be used by the party offended to obtain a reconciliation with the party offending, previously to any charge being preferred: agreeably to the injunction of Christ, "if thy brother shall trespass against thee, go and tell him his fault, between thee and him alone," &c. [See *introduction to discipline*.] This important requisition of the discipline was neglected by our elder, who did not so much as inform our Monthly meeting of his intention to arraign it before the Quarterly meeting.

4. The Quarterly meeting of ministers and elders, by coming to a judgment to make a remonstrance against our Monthly meeting, *constituted itself a party against us*. This fact was so far admitted by the general Quarterly meeting, that when the case was referred, in Fifth-month, 1826, to the Yearly meeting, and a committee was about to be appointed to represent it there, a decision was come to, that the members of the Quarterly meeting of ministers and elders should be privileged to *name out of that body one-half of the said committee*, and that the members of Green street Monthly meeting might name the other half.

5. The same parties who compose the Quarterly meeting of ministers and elders, and who had presented the aforesaid remonstrance again in the general Quarterly meeting, *sat in judgment against our Monthly meeting*, and were the active men in forcing the measure.

In the Quarterly meeting of ministers and elders in Eighth-month, 1826, a second committee was appointed, specially to *advise and assist* our Preparative meeting of ministers and elders. This appointment was grounded upon a small abatement made in the answers to the queries received from said Preparative meeting, although as great deficiencies were acknowledged in the answers received from at least one other Preparative meeting.

This committee reported the ministry unsound, on the accusation of one individual, and against the evidence of all the remaining part of the meeting, and contrary to the official answers to the queries. This report was adopted by the Quarterly meeting.

On the same evidence, the committee *identified us an offender*, a minister who then was and continues to be *in unity* with the Monthly meeting, and, excepting his ac-

cuser, with the Preparative meeting of ministers and elders, and summoned him to attend before part of their number, without the permission of the said Preparative meeting.

Respecting these measures we make the following observations :

1. In case of deficiencies acknowledged in the official answers to the queries, the extent of the power given by the discipline to Quarterly meetings of ministers and elders is to *counsel and advise* their constituent Preparative meetings. The words of the discipline are, "and in the said Quarterly meetings, the queries are also to be read, with the answers which are brought from their Preparative meetings, and the state of the members weightily considered, that, where occasion requires it, *advise and counsel* may be seasonably extended," &c. Page 66. The Quarterly meeting, therefore, by undertaking to *assist* the Preparative meeting, (by which was intended, as subsequent events demonstrated, to procure a charge against a member of the Preparative meeting, in opposition to the sense and judgment of said meeting,) exhibited in its conduct a manifest example of assumption of power.

2. The committee, by reporting the ministry unsound on the accusation of one individual, and contrary to the official answers, committed a direct infringement of that part of our discipline which directs, that "a timely and tender care be extended to such person according to gospel order; first by the individuals concerned, and then by the Preparative meeting of ministers and elders to which he or she may belong:" and that "should these labours prove unavailing, report of the case should be made by that meeting to the Quarterly meeting of ministers and elders, and there a few Friends be deputed to assist," &c. See page 68.

We say, this proceeding of the committee was a direct violation of the discipline—because, 1. No labour on account of unsoundness in ministry had been extended by the Preparative meeting of ministers and elders. 2. The Preparative meeting had not made the pre-requisite report to the Quarterly meeting, which the discipline expressly enjoins. 3. The committee demonstrated a disposition of unkindly feeling to our Preparative meeting of ministers and elders, by taking the accusation of one individual in opposition to our official answers to the queries, and by reporting accordingly.

3. The Quarterly meeting of ministers and elders, by adopting this report, and by continuing the committee in service under such circumstances, sanctioned this violation of discipline and gospel order.

4. The committee by identifying and attempting to visit as an offender, a minister to whom no care had been extended by the said Preparative meeting, and who was in unity both with the Monthly meeting and the Preparative meeting of ministers and elders, and by thus identifying him in opposition to the official answers to the queries, committed a direct infraction upon the discipline before cited. This act of the committee also involved a principle calculated to promote discord among the members of our Preparative meeting of ministers and elders, and between said Preparative meeting and the Monthly meeting. It had also an obvious tendency to obstruct the clear answering of the third query, respecting ministers and elders, viz: "are they in unity one with another, and with the meeting they belong to, harmoniously labouring for truth's honour?" Page 96.

We next state, that on account of open and continued opposition manifested by two of our women elders, not only to the Monthly meeting but to particular members, this meeting, after having appointed a committee to take into consideration the relative standing of our elders, and after having, on their united report, weightily deliberated upon the subject, came to the judgment that the service of these two Friends had ceased as elders of the meeting. And accordingly they were released from said service, on the authority of the following discipline.

1. That part of the third query just cited, which requires that ministers and elders be "in unity one with another, and with the meeting they belong to." Page 96.

2. That part of our discipline respecting elders, which directs that Monthly meetings take care "that the Friends chosen for that service, be prudent, solid Friends, and that they do carefully discharge the trust confided to them." Page 63. Both these injunctions of the discipline obviously make it obligatory on Monthly meetings, to have such elders only as are in unity with them, and also, to have none that are

not qualified for the station, or that do not "carefully discharge the trust confided to them."

3. That part of our discipline which directs what course shall be pursued in meetings of ministers and elders in reference to the release of a member of those meetings who may "be thought, by negligence, unfaithfulness, or otherwise, to have lost his or her service in that station, so as to become the subject of uneasiness and burthensome"—yet manifestly giving an *antecedent and paramount right and authority to Monthly meetings*, to take such individuals under care, in the words following, viz: "yet not so as to be under the care of a *meeting of discipline on that account or for misconduct.*" The words "that account" manifestly referring to *loss of service*, by "negligence, unfaithfulness, or otherwise." Page 63.

We believed, and we are confirmed in the correctness of the conclusion, that this last part of the discipline cited, taken in connexion with the other two parts, fully authorized and enjoined this Monthly meeting, on the ground that their service had ceased in that capacity, to release the Friends before alluded to, from their station as elders in this meeting. And accordingly, as before observed, a minute was made to that effect.

Afterwards these Friends offered to the Quarterly meeting, a written communication, stating in general terms that they were aggrieved by the proceedings of Green street Monthly meeting, without specifying in *what respects* they considered themselves aggrieved.

A strong effort was then made in the Quarterly meeting by certain members, to make this an appeal case: but this measure was overruled.

Our representatives and other members attempted to explain what the alleged grievance was; but this was strenuously objected to, on the plea, that as the Quarterly meeting was not officially informed of the nature and merits of the case, it had no right, as a Quarterly meeting, to know any thing about them; and hence was urged the necessity of appointing a committee to inquire into the circumstances.

In this way the Quarterly meeting came to the judgment that a committee should be appointed to investigate into the nature of the supposed grievance, that a fair understanding might be had by the meeting, in respect to the propriety of hearing the complainants, and a committee was accordingly nominated. This committee undertook to transform the memorial of these elders into an appeal case, waited on our Monthly meeting, and requested it to appoint a committee to carry forward before them the minutes of our proceedings.

But this meeting believing that the Quarterly meeting's committee had not been authorized to take this course, that our Monthly meeting was not authorized to sanction it, that by the discipline the Quarterly meeting *itself* had no jurisdiction in the case, and also believing, not only on this account, but because of the great disunity in the Quarterly meeting, that the appointment was irregular, declined nominating any committee.

The Quarterly meeting's committee persisted, however, in their determination to make it an appeal: and accordingly, without any committee having been appointed by us, and without informing the Quarterly meeting what it was that our meeting had done, reported it as their judgment, that the proceedings of Green street Monthly meeting in relation to these two Friends, be annulled.

Here again our representative, and other members attempted to explain that it was, or had been constituted, an *appeal for the office of an elder*: that these two Friends had merely been released from that station: and moreover, the conversion of this case into an appeal (in the sense in which that term is used in the discipline,) had been overruled by the preceding Quarterly meeting. But we were told, as we had been in some other cases offered to the consideration of the Quarterly meeting, that "the members of Green street meeting could not be heard."

So that the Quarterly meeting remains yet uninformed of the *decision* of our meeting, and also of the nature of the supposed grievance. Yet nevertheless a minute is recorded on the books of said Quarterly meeting, adopting the judgment of the committee, that the proceedings of our meeting be annulled.

To these measures we make the following objections:—1. The committee transformed this case into an appeal, against the express understanding of the Quarterly meeting.

2. On their report, the Quarterly Meeting sanctioned this proceeding; and thereby assumed the principle, that committees have a right to exceed the instructions of the meeting appointing them to service.

3. There is no discipline which recognises a right to appeal for the office of an elder.

4. The Quarterly meeting, by recognising this case as an appeal, in effect assumed itself the power to make discipline.

5. By this act the Quarterly meeting has denied to Monthly meetings, their right selecting from among their own members, such as they may deem most eligible to fill the offices of said meetings; and has also assumed the right to oblige our Monthly meeting to acknowledge such as the Quarterly Meeting may think suitable.

6. By this act the Quarterly meeting has declared, that although Monthly meetings are competent to judge of the *qualification* of individuals to serve them as elders, but they are not competent to judge of a *disqualification*; or, in other words, the quarterly meeting has declared, that the *power which appoints* is not *sufficient to remove* an elder from office.

7. By this act the Quarterly meeting has assumed the principle, that in a remonstrance or an appeal, it is not necessary that the meeting should know that the party has been *deprived of any right or privilege* by the *act* of a Monthly meeting, or what *a decision* of the Monthly meeting has been in relation to the party, prior to its *reversal* by the Quarterly meeting.

8. The Quarterly meeting, by adopting the report of the committee to annul the proceedings of Green street Monthly meeting, decided the question which, at a previous Quarterly meeting, when the case of the elder first alluded to was before it, it refused to refer to the Yearly meeting for its determination.

To proceed now with our narrative, it will be proper here to recur to the remonstrance of the Quarterly meeting of ministers and elders against our Monthly meeting, and the memorial of the elder just noticed, and which, as has been mentioned, the general Quarterly meeting concluded in Fifth-month, 1826, to lay before the Yearly meeting. In relation to the case growing out of these, it will be sufficient to state, that owing to the disunity and discordant views apparent in the Yearly meeting, this, with several important subjects that had come up from other Quarterly meetings, was dismissed without being taken up—that body thus acknowledging itself incompetent to their adjudication. Hence our Monthly meeting was necessarily left without a remedy, as it regarded the proceedings of Philadelphia Quarterly meeting.

We will next direct our attention to the circumstance of the appointment of a committee in the Quarterly meeting to visit the Monthly meetings. This appointment took place in Eleventh-month, 1826; and although the opposition to it was so great that the clerk at one time declared, that he could not conscientiously receive votes for it, yet after much time spent in discussing the measure, and in total disregard of the judgment expressed by a large, if not the larger part of the meeting, a committee was appointed.

As it had become manifest by the proceedings of the Quarterly meeting, that our rights as a Monthly meeting would not be respected, it was concluded, after deliberate consideration, at a Monthly meeting held Fourth-month last, to dissolve our connexion with Philadelphia Quarterly meeting. A minute expressive of this conclusion was made, and a committee appointed to give the information to the next quarterly meeting to be held in Fifth month. This was done by one of the Friends nominated to that service, who also laid on the table of the clerk a copy of the minute of this Monthly meeting on that subject, which was read.

At this Quarterly meeting the forementioned committee which had been appointed to visit the Monthly meetings, made a report, in which they recommended that Green street Monthly meeting should be laid down, and its members attached to the Northern district Monthly meeting: which report was adopted.

To these proceedings, on the part of the Quarterly meeting, we object. 1. That previously to this act of the Quarterly meeting of Philadelphia, Green street Monthly meeting had dissolved its connexion with that meeting, and was therefore not under its jurisdiction and of this fact the Quarterly meeting had been officially informed.

2. In attempting to lay down our Monthly meeting, without first obtaining its

consent to the terms of the Quarterly meeting broke the following discipline, viz: "It is agreed that no Quarterly meeting be set up or laid down, without the consent of the Yearly meeting, no Monthly meeting without the consent of the Quarterly meeting, nor any Preparative or other meeting for business or worship, till application to the Monthly meeting is first made, and when there approved, the consent of the Quarterly meeting be also obtained." Page 32.

By this rule it is manifest, that a Quarterly meeting has no other power than to confirm or prevent the setting up or laying down of a Monthly meeting. It is also clear, that a Quarterly meeting cannot lay down a "Preparative or other meeting for business or worship, till application to the Monthly meeting is first made, and when there approved, the consent of the Quarterly meeting be also obtained." The terms "other meeting for business," in the clause, must include a Monthly meeting. Admitting, however, that they do not include a Monthly meeting, it would be absurd to suppose, that where there is no power to lay down an inferior, the power exists to lay down a superior meeting. It follows, therefore, that Green street Monthly meeting not having made such an application, the Quarterly meeting had no authority to lay it down.

3. As the discipline was the compact guaranteed to this Monthly meeting, and as what was not conceded in that compact was unquestionably retained, or in other words, as in accepting the discipline when we became a branch of Philadelphia Quarter, we gave no such power to lay down our meeting, it is not now to be implied that such power was intended by the terms of the compact.

4. The absurdity of the application of the rule as construed by the Quarterly meeting, becomes evident when applied to the setting up of a Monthly meeting without the consent of the parties who are to compose such meeting—the same principle clearly applying in both cases.

5. To suppose that the rights of a Monthly meeting are to be transferred at the option of a Quarterly meeting, is repugnant both to the letter and the spirit of the discipline, as this would imply the existence of a power in the Quarterly meeting, to attach us, as members, to any Monthly meeting within the limits of the said quarter, notwithstanding the inconvenience or injustice that might be consequent on such a transfer.

6. Were it admitted that the Quarterly meeting had the abstract right to lay down a Monthly meeting without its consent, there was no valid reason existing for the procedure in the case of Green street Monthly meeting. Our Monthly meeting had not only been regularly kept up, and the discipline administered with propriety, but we had been favoured to enjoy a greater degree of unity and harmony than any other of the Monthly meetings in the city. For these and the above reasons, the proceeding of the Quarterly meeting of Philadelphia can only be regarded as an arbitrary measure, unwarranted by discipline.

Our Monthly meeting having, as has been stated, dissolved its connexion with Philadelphia Quarter, came also to the conclusion to apply to Abington Quarterly meeting, to be received as a branch of that meeting. The application was accordingly brought before that Quarter in Fifth-month last, in which, on a full and decided expression of the sense of that meeting, the proposal was agreed to, and a copy of the minute then made was directed to be sent down to our Monthly meeting, which from that period became a branch of Abington Quarterly meeting.

In justification of this step, we observe—

1. That the Quarterly meeting of Philadelphia, by admitting on its records the proceedings of the Quarterly meeting of ministers and elders, in direct opposition to that rule of discipline, which says, "none of the said meetings of ministers and elders are in anywise to interfere with the business of any meeting for discipline," and by other infractions of the discipline, noticed in this statement, did virtually release our Monthly meeting from accountability to said Quarter as a superior meeting—it being evident that our subordination was to be in the order prescribed by the discipline, and not out of it. And therefore as the Quarterly meeting had departed from this order, we had a right, as a Monthly meeting, to take any step, not prohibited by that compact, which would secure to us the enjoyment of our civil and religious privileges.

2. By attaching ourselves to Abington Quarter, we have departed neither from

letter nor the spirit of the discipline: there is no provision in the former against such a step, neither is it implied by the latter that we are not to seek a peaceable and orderly retreat from an alarming infringement of our rights as a Monthly meeting, when, in seeking such a retreat, we connect ourselves with a Quarterly meeting governed by the same discipline.

To conclude. While we deplore the desolation which exists on our borders, and that the waste places of Zion are many, we sincerely hope and believe, that the good tidings will arrive when Jerusalem will become "a rejoicing, and her people a joy." And desiring that we may keep the patience under all the trials we may be permitted to experience, we recommend to our members that they cultivate a spirit of forbearance and brotherly love, thereby evidencing that they are under the influence of that power which inspired the anthem of "glory to God in the highest, on earth and peace, and good will toward men."

APPENDIX.

EXHIBITS AND DOCUMENTS REFERRED TO IN THE SECOND VOLUME.

Page 60. Exhibit E. Address of the meeting at Green street of Fourth-month, 1827, produced by H. Jackson.

At a meeting of a large number of Friends, from the different branches of the Yearly Meeting held in Philadelphia, convened at Green street meeting house, on the 19th of Fourth-month, 1827, to confer together on the present unsettled state of the Society of Friends, and to consider what measures it may be proper to take, in the openings of truth, to remedy the distressing evil: after a solemn pause, and under a deep sense of the weighty subject, it was unitedly concluded to address the members of this Yearly Meeting on the affecting occasion; for which purpose an essay being produced, and some progress made in the consideration thereof, the meeting adjourned to meet again, by divine permission, to-morrow evening.

Fourth-month, 20th. Friends again met, and resumed the consideration of the aforesaid address, which, after deliberate attention, was, with some alterations, unanimously adopted, when the meeting adjourned, to meet again to-morrow.

Fourth-month, 21st. Friends assembled pursuant to adjournment. The essay of an address being again read, and weightily considered, it was agreed that it be signed on behalf of this meeting, and that a suitable number of copies thereof be printed for distribution.

To Friends within the compass of the Yearly Meeting held in Philadelphia.

DEAR FRIENDS,

The members of the Society of Friends have been permitted, in time past, to be partakers together, under the divine blessing, of the excellent effects produced by the power of that gospel which was professed and lived in by the apostles; and which, after a long night of apostacy, was embraced by our worthy ancestors. We are prepared to record our full conviction, that this same gospel continues to be open to us, and to all men, and is "the power of God unto salvation" to those that believe in and obey it. Its blessed fruits are love to God and love to man, manifested in life and conduct: and our early Friends gave ample proofs of the tendency and influence of the "new commandment" which Christ gave to his disciples when he said, "A new commandment I give unto you, that ye love one another: as I have loved you, that ye also love one another." Through an obedience to it, they became known and distinguished: acting under its sacred influence and government, they were made powerful instruments in opening the door of gospel liberty, and removing many of the fetters that had been formed in the dark night of superstition and error that preceded them. Hence they were prepared to promulgate the glorious truth, that GOD ALONE IS THE SOVEREIGN LORD OF CONSCIENCE, and that with this unalienable right, no power, civil or ecclesiastical, should ever interfere. This blessed liberty was amply enjoyed among themselves, and through faithfulness—not to speculative opinions, but to the light of CHRIST within—they were thus united in the one eternal, unchangeable spirit, and by it became of one heart and one mind. In this truly Christian state, they were lights in the world, and as a city set on a hill which cannot be hid. Through their instrumentality, with the blessing of the Almighty upon their labours, our religious society be-

came possessed of this very important spiritual inheritance, and we feel bound to endeavour to preserve it, unfettered by the hand of man, and unalloyed with present modes of faith, framed in the will and wisdom of the creature.

With this great object in view, our attention has been turned to the present condition of this Yearly Meeting, and its different branches; and, by evidence on every side, we are constrained to declare, that the unity of this body is interrupted—that a division exists among us, developing in its progress views which appear incompatible with each other, and feelings averse to a reconciliation. Doctrines held by one party, and which we believe to be sound and edifying, are pronounced by the other party to be unsound and spurious. From this has resulted a state of things that has proved destructive of peace and tranquillity, and in which the fruits of love and concord have been blasted, and the comforts and enjoyments even of social intercourse greatly diminished. Measures have been pursued which we deem oppressive and in their nature and tendency calculated to undermine and destroy those benevolent institutions to establish and perpetuate which, should be the purpose of every religious association.

It is only under the influence of “the peaceable spirit and wisdom of Jesus” that discipline can be properly administered, or the affairs of the church transacted “with decency” and in order. This blessed influence is a wall of defence, on the right and on the left, protecting all, even the weakest of the flock; and within this sacred enclosure our rights and privileges repose, as in the bosom of society, in perfect harmony. On this foundation has rested that excellent order which the Society of Friends has been favoured, in a good degree, to maintain in its transactions; this is the principle that has united its members together, and enabled them to manage all their concerns in “forbearance and love of each other.” But this blessed order has been infringed both in the present Yearly Meeting, (producing unexampled disorder in some of its sittings,) and in many of its subordinate branches, and has proved a fruitful source of the difficulties that now exist.

It is under a solemn and deliberate view of this painful state of our affairs, that we feel bound to express to you, under a settled conviction of mind, that the period has fully come in which we ought to look towards making a quiet retreat from this state of confusion, and we therefore recommend to you deeply to weigh the momentous subject, and to adopt such a course as—truth, under solid and solemn deliberation, may point to, in furtherance of this object, that our society may again enjoy the free exercise of its rights and privileges. And we think proper to remind you, that we are now no longer the same body as we were formerly; that already late in the season of our annual meeting, we have received from the Yearly Meeting of 1844, a declaration of disunity, which has since been confirmed by the Yearly Meeting of 1845. We are now a divided body, and we feel that it is our duty to separate ourselves from the Yearly Meeting of 1844, and to hold our own separate Yearly Meeting, in order that we may be able to transact our business in peace and order, and in the presence of the Lord.

We feel that it is our duty to separate ourselves from the Yearly Meeting of 1844, and to hold our own separate Yearly Meeting, in order that we may be able to transact our business in peace and order, and in the presence of the Lord.

Resolved, that we will hold our own separate Yearly Meeting.

Exhibit F. Address of the meeting at Green street of Sixth-month, 1827, produced by Hulliday Jackson.

General meeting of Friends, held by adjournments, at Green street meeting in the city of Philadelphia, on the 4th and 5th days of Sixth-month, 1827, pursuant to an adjournment in Fourth-month last, the following Epistle was adopted, and it was resolved that seven thousand copies of it should be printed and circulated amongst the members. The Friends who signed the Epistle were requested to attend to its distribution.

Address of the Quarterly and Monthly Meetings within the compass of the Yearly Meeting held in Philadelphia.

ENDS,

through divine favour, been permitted to meet together, pursuant to adjournment in Fourth-month last, the state of our religious society was again brought before us.

The wing of ancient goodness being sensibly extended over the several parts of this meeting, we have been enabled weightily to consider the subjects that were before us. After solemn deliberation, and a free interchange of sentiment, with much unanimity, agreed to recommend the following views and propositions for our serious consideration.

The principal objects of our religious association, are the public worship of God; the mutual aid and comfort of each other; the strengthening of the weak, and the recovery of those who have wandered from the way of peace and safety.

It is our duty under the blessed influence of gospel love, that these objects can be attained. Whenever any among us, so far forsake this *fundamental principle* of our association, to act in the spirit of strife and discord, and to oppose and condemn their brethren who may conscientiously differ from them in opinion, they break the bond of fellowship, and, as far as their influence extends, frustrate the design of our society. If such, after the use of proper means, cannot be reclaimed, the peace and harmony, and welfare of the body, require that they should be separated from communion.

Our meeting, aware of the evils arising from contention in religious communities, has declared against it, declaring that "where envying and strife is, there is contention and every evil work;" and they were exhorted to withdraw from every one who walked disorderly. And we know from experience, that wherever this has appeared in any of our meetings, weakness, and jealousy, and divisions have been introduced; and that excellent order has been subverted which has not only preserved us in love and concord, but protected the rights and privileges of all our members.

Deep concern and sorrow we have observed the introduction and increase of contention and strife in our society. It is now about five years since it made its appearance in our beloved society, so as to become a subject of general concern. For some time it was mostly confined to individuals acting as officers in the church. In this progress, its consequences were grievous. Some who became infected by departing from the wholesome order established by our Yearly Meeting, which directs in the first place, *private* labour with such as give cause of concern, and afterwards, at *Monthly Meetings* should treat with them, formed combinations amongst themselves, unauthorized by the society, and unknown to its discipline. Friends in the ministry, with certificates from their Monthly and Quarterly Meetings, were interrupted in their labours, and in some instances, publicly opposed in our meetings for divine worship. They and other faithful Friends in the ministry, were charged with preaching infidel doctrines, denying the divinity of Christ, and misapplying the Scriptures; together with divers other things, generally known to be equally unfounded.

Not long, however, before the contagion spread, and made its appearance in our meetings for discipline, opening to the exercised members of the society, in a manner of the most painful nature. Measures of a party character were introduced, the established order of society was infringed, by carrying those measures into effect, against the judgment and contrary to the voice of the larger part of Friends.

With the infection, taking a wider range, appeared in our Yearly Meeting,

where its deplorable effects were equally conspicuous. Means were resorted to therein to overrule the greater part of the representatives, and a clerk was upon the meeting, without their concurrence or consent. A committee was appointed to visit the Quarterly and Monthly Meetings without the unity of feeling, and contrary to the solid sense and judgment of much the larger number of members in attendance; and several important subjects were necessarily following to the disunity and discord prevalent in that body.

Friends have viewed this state of things amongst us with deep concern, and patiently waiting in the hope, that time and reflection would convince them of the impropriety of such a course, and that, being favoured to see the consequences of such conduct, they might retrace their steps. But, hitherto, waited in vain. Time and opportunity for reflection have been amply afforded, but have not produced these desirable results. On the contrary, the spirit of confusion has gained strength, and to us there now appears no way to regain harmony and tranquillity of the body, but by withdrawing ourselves—not from the society of Friends, nor from the exercise of its salutary discipline—but from communion with those who have introduced, and seem disposed to continue disorders amongst us.

The quiet and solemnity of our meetings for divine worship—the blessed gospel ministry unshackled by human authority—the preservation of our liberty—the advancement of our christian testimonies—and the prosperity of the cause as far as it is connected with our labours, we believe, very much depend upon the adoption of this measure.

We therefore, under a solemn and weighty sense of the importance of this measure, and with ardent desires that all our movements may be under the guidance of Him who only can lead us in safety, have agreed to propose for your consideration the propriety and expediency of holding a Yearly Meeting for Friends in the year 1840, residing within the limits of those Quarterly Meetings, heretofore represented at the Yearly Meeting held in Philadelphia, for which purpose, it is recommended that the Quarterly and Monthly Meetings, which may be prepared for such a measure, appoint representatives to meet in Philadelphia, on the third Second-day of the month next, at ten o'clock in the morning, in company with other members who are in favour of our views, there to hold a Yearly Meeting of men and women Friends upon the principles of the early professors of our name, and for the same purposes that have brought them together in a religious capacity—to exalt the standard of truth—to promote peace and peace in the earth—to bless the churches—and generally to advance such concerns as relate to the welfare of religious society, and the cause of our Redeemer, who is God over all, blessed for ever. Amen.

Signed by direction and on behalf of the meeting, by

Stephen Stephens,
Joseph Rhoads,
Jacob Paxson,
James Walton,
Benjamin Smith,
Thomas Carey,
Halliday Jackson,
Jacob Abrams,
George Peirce,
Stephen Long,
Richard Barnard,

John Mann,
John Congdon,
Robert Moore,
Asa Rogers,
Anthony Sharp,
Josiah Roberts,
John Ward,
Thomas Burton,
David Davis,
Isaac Kay,
Edward Garrigue

Extracted from the minutes of the aforesaid meeting

WILLIAM GIBBONS, { Clerk
BENJ. FERRIS, {

Page 60. *Exhibit H. Address of the meeting at Green street of Tenth-month, 1827, produced by Halliday Jackson.*

Epistle from the Yearly Meeting of Friends, held in Philadelphia, by adjournments from the 15th of Tenth-month to the 19th of the same, inclusive, 1827, to the Quarterly, Monthly, and Particular meetings of Friends within the compass of the said Yearly Meeting.

DEAR FRIENDS,

Having convened in this Yearly Meeting, under very peculiar and trying circumstances, in order to transact the business of the church, our minds have been comforted and strengthened, in the evidence afforded that we are still mercifully regarded by our Holy Head, whose heavenly wing has graciously overshadowed this meeting to the humbling of our spirits; and tender sympathy has flowed towards our absent brethren and sisters, whom we affectionately salute in the love of the everlasting gospel. We fervently desire that all may be increasingly concerned to retire from the noises, contentions, and the confusions that are in the world—that we may individually submit to the government of the Prince of Peace, who gathered our forefathers to be a people and committed to them important testimonies.

These testimonies have been felt to be near and dear to us, and a living travail has been known that our Zion may arise and shine in her ancient brightness, as in the morning of the day, when her sons and her daughters were despised and persecuted, but inherited the blessing pronounced by our Divine Master: "Blessed are ye when men shall revile you, and persecute you, and shall say all manner of evil against you, for my sake."

Beloved friends, we feel the awful responsibility of our present standing, and the necessity of abiding, individually, in the meekness and simplicity of the truth as it is in Jesus—avoiding all doubtful disputations which engender strife, and earnestly endeavouring to show forth by a godly life and conversation, that we are his humble followers, who "when he was reviled, reviled not again," and whose religion enjoins that we resist not evil, but overcome evil with good.

We believe there never was a period in our society, when it was more important for those who feel bound to the law and the testimony to stand faithful at their posts; having on "the whole armour of God," which only can protect from the dangers that surround us. But if we keep a single eye to the captain of our salvation, humbly waiting for him to put forth and go before us, we have nothing to fear—hard things will be made easy, and bitter things sweet; for "greater is he that is in you, than he that is in the world."

In the present agitated state of society, its living members must be led into exercise and suffering, and we earnestly desire that all may be preserved in the spirit of patience, gentleness, and forbearance, under every provocation and trial. And in the exercise of the salutary discipline of the church, Oh! that we may seek for a right qualification to treat with offenders in the spirit of restoring love,—most carefully guarding against the influence of party feeling, which may, almost imperceptibly, entwine itself in movements professedly designed to support the discipline of society. Let us remember that its original and primary object is, to seek and save—not to destroy. If we in a spirit of violence seize the discipline as a sword, to be wielded in the will and wisdom of man, we thereby depart from our ancient and christian principle, and wound the cause of truth and righteousness.

Our profession is high and holy; and let us be increasingly concerned to walk consistently therewith. The patient sufferings of our faithful predecessors finally established for them an excellent name, even amongst their persecutors. They held up with practical clearness a peaceable testimony against "wars and fightings," and by a scrupulous adherence to the principles of justice, became proverbial for their integrity.

In the present afflicting state of things, we feel deeply concerned that their example in these respects may be kept steadily in view—that our religious testimonies may never be wounded by contending for property and asserting our rights;—that no course be pursued, although sanctioned by the laws of the excellent civil government under which we live, that may be at variance with the spirit of that holy lawgiver, who taught his disciples, "If any man will sue thee at the law and take away thy coat, let him have thy cloak also;" and who set forth his own situation as it related to this world,

when he said, "The foxes have holes, and the birds of the air have nests, but the son of man hath not where to lay his head."

And we tenderly exhort, that in places where our members constitute the larger part of any meeting, their conduct may be regulated by the rule laid down by our blessed Lord: "Whatsoever ye would that men should do to you, do ye even so to them."

The discipline under which we act, positively discourages members of our society from suing each other at law. To violate this discipline in a meeting capacity, is not only a departure from our established order, but is calculated to injure us in the eyes of sober inquirers after truth, and to disturb the peace of our own minds.

Dearly beloved young friends! how shall we address you in language sufficiently expressive of the tender solicitude which we feel for your welfare! We are fully aware that many of you have witnessed scenes of contention, painfully affecting to the inexperienced mind, and calculated to produce the inquiry, "Who shall show us any good?" But remember, dear children, that truth is truth though all men forsake it. "The foundation of God standeth sure, having this seal, the Lord knoweth them that are his." Although there may have been seasons when, as amidst the raging of the billows, you have been ready to cry out, Lord save us or we perish, yet may you remember that the Almighty Power which rebuked the winds and the waves, is the same that ever it was, and is still graciously disposed to say to the humble tossed mind, "Peace, be still."

Retire then, we entreat you, from all airy speculations on religious subjects—from all light and chaffy conversation. Enter into your closets—shut the door—commune with your own hearts and be still. Thus you will learn in the school of Christ. Your religious experience will be gradually enlarged, and as you continue humble and obedient you will be raised up a righteous generation, and will stand as faithful advocates for the law and the testimony of our God. There will arise from amongst you judges as at the first, and counsellors as at the beginning: instead of the fathers there will be the sons, and instead of the mothers there will be the daughters.

The language of the Meeting for Sufferings, in the introduction to the Book of Advice published under the direction of our Yearly Meeting in 1808, appears peculiarly adapted to our present situation, and is as follows:

"The following extracts have been compiled for the benefit of the members of our Yearly Meeting, that observing the travail of the church under various concerns, which in divine wisdom have been communicated for its weighty attention, they may be drawn to the principle of life and light manifested in the mind, which points out the path of duty and can alone preserve therein.

"Our ancient Friends and their faithful successors to the present day, have earnestly laboured to turn the attention of all to this pure spirit; knowing from experience, that it is the means appointed by God for effecting our salvation, and the only foundation of all true religion and worship. As by this we have been led into divers testimonies which have distinguished us from most other professors of the Christian name, we fervently desire that all our members may walk by the same rule and mind the same thing; thus every one filling his place in the body, we shall grow up into Him in all things, who is the Head, even Christ."

We recommend these advices to the weighty attention of all our members.

Finally, beloved friends, may we all remember that the gospel of Christ stands not in speculative opinions, nor in the will and wisdom of man, but in the power of the one true and living God. Our blessed Lord gave ample proof of its simplicity, in selecting illiterate fishermen to be among its promulgators. And as we are engaged humbly to abide in this power, no divination nor enchantment can prevail against us.

"Now unto Him that is able to keep you from falling, and to present you faultless before the presence of his glory with exceeding joy, to the only wise God our Saviour, be glory and majesty, dominion and power, both now and ever. Amen."

Signed by direction and on behalf of the meeting, by

BENJAMIN FERRIS,

Clerk of the men's meeting.

REBECCA B. COMLY,

Clerk of the women's meeting.

Page 67. Exhibit N. Minute of Salem Quarterly Meeting produced by Halliday Jackson.

The committee appointed at our last meeting to assist our Monthly Meetings in the support of our discipline, reported: that on the fourth of last month, a part of their number, both of men and women Friends, attended Maurice River Monthly Meeting; on producing the minutes of our appointment, the meeting declined having them read—they being entirely unwilling to recognise a committee of our Quarterly Meeting.

This committee now taking the subject into consideration, and referring also to the circumstance, that no reports were received at our last Quarterly Meeting from that Monthly Meeting, suggests to the Quarterly Meeting, the propriety of laying down Maurice River Monthly Meeting, and all its branches both for worship and discipline, and attaching its members to Greenwich Monthly Meeting.

Which being read and considered was united with by the meeting, and said meetings were laid down and discontinued accordingly.

Samuel Allen and Joseph Miller were appointed, in connexion with the committee of the women's meeting, to inform Maurice River Monthly Meeting of this conclusion.

Extracted from the minutes of Salem Quarterly Meeting of Friends, held at Salem, Fifth-month 15th, 1828. SAMUEL WEBSTER, Clerk.

Page 68. Exhibit O. Epistle: New York Yearly Meeting of 1828, produced by Halliday Jackson.

At a Yearly Meeting held in the city of New York, by adjournments from the 26th to the 31st of Fifth-month inclusive, 1828, composed of Friends of New York, Vermont, Connecticut and the province of Canada.

DEAR FRIENDS,

Under the peculiar and trying circumstances which have transpired in our Yearly Meeting at its present gathering, our minds have been deeply affected with concern for the welfare of the body; and more especially for those of our dear friends who were absent; and we are desirous you should be made acquainted therewith.

This, our annual assembly, was large. In addition to a pretty general attendance of our own members, we had the company of many Friends from other Yearly Meetings; and this circumstance, the presence of our Friends from a neighbouring Yearly Meeting, was made the occasion of an excitement peculiarly painful to many minds, and a pretext for the separation of a number of our members from the body. The circumstances of this affecting event we believe it right, now, briefly to detail to you.

The Friend who acted as clerk the last year, contrary to our usual custom, did not bring with him the book of minutes, and the papers belonging to the Yearly Meeting. Having, under these circumstances, taken his seat at the table, after some previous communications from brethren in attendance, he read an opening minute, and called over the names of the representatives from a strip of paper, (83 of whom answered to their names, of whose number about 20 have absented themselves from our sittings.) An aged Friend, from a distant land, then rose and alleged, that there were persons present who had been regularly disowned, and he protested against the meeting's proceeding to business until those persons had withdrawn. He was followed by a few of our own members, who also asserted that there were those among us who had no right to sit in the meeting. These accusations the meeting could not sanction, being fully persuaded of the right of every Friend in attendance to a seat in this body.

The clerk was repeatedly requested to proceed in regular order with the business of the meeting; and it was not until after much time had been allowed him, and he manifested a fixed determination not to proceed in conformity with the mind of the meeting, that another Friend was appointed clerk, and called to officiate. On his coming to the table, the former clerk, together with about 245 individuals, being a small minority, which included many persons not members of this Yearly Meeting, withdrew from us, and have since, we understand, set up a separate meeting under the character of a Yearly Meeting, retaining in their possession our books and papers. At the second sitting of the women's meeting, a number also withdrew from that body, and have in like manner, as we are informed, undertaken contrary to good order to set up what they call a Yearly Meeting.

Such, dear friends, being the state of our affairs, we may anticipate difficulty in our subordinate and lesser meetings from those who have separated themselves. Of the trials which will be attendant on the present state of things among us, in our Quarterly, Monthly, and Preparative Meetings we wish affectionately to apprise you. And our friends we entreat you humbly to seek for counsel and direction at the Divine fountain of all true wisdom. We desire that on all occasions we may be actuated by a spirit of tenderness and love toward those who have gone from us, and that our conduct may give evidence that we are governed by those truly christian principles, under the influence of which we cannot render railing for railing, but contrarywise blessing; under the influence of these blessed principles we shall also be preserved from a spirit of accusation and denunciation toward any who may differ in opinion on points not involving the practice of christian virtues. We shall hence be willing to concede to others those inestimable privileges which we claim for ourselves, and shall not be found violating the divine rule: "As ye would that men should do unto you, do ye even so to them." And thus while we temperately but firmly maintain our own rights, we shall not encroach upon the rights of others. But humbly relying on the guidance and direction of the spirit of Christ, we shall know it to be the "wisdom of God and the power of God," and shall experience the unity of this holy spirit to be the bond of peace in all our assemblies.

Since the separation has taken place, our meeting has continued large, and we have been able to rejoice in the evidence of this blessed unity, in which the affairs of the church have been harmoniously transacted, and Friends have been edified together.

With the salutation of love unfeigned, we are your friends.

Signed in behalf and by the direction of the meeting,

SAMUEL MOTT, } Clerk
MARY BRISTOLL, }

Page 87. Exhibit S. Letter of Darby Elders to Ann Jones, produced by Halliday Jackson.

ESTEEMED FRIEND,

It is far from our desire to do any thing that would add to thy trials, or in the least hurt thy religious services amongst us, but feeling as we apprehend, in some measure responsible and a weight of exercise to rest upon us, we think it our duty in this way to take some notice of thy communication among men Friends in the late Quarterly Meeting held at Darby; and had thou remained in the place thou would probably have had a visit from some of us that evening.

In consequence of the uneasiness excited by some of thy expressions in this public manner, the Elders belonging to the Quarter were requested to meet that evening—accordingly those who could conveniently stay, met to the number of about fourteen, the greater part of whom expressed considerable uneasiness with a part of thy communication, and it was recommended for those who felt the way open to communicate with thee on the subject.

As near as we can recollect, after stating that thou had brought nothing with thee, and did not know what thou might have to communicate, thou mentioned being oppressed with a sense of the infidelity that was spreading far and wide, and that thou had heard in that house things that had pierced thee to thy very soul; that thou had heard the Saviour of the World, the Wonderful Counsellor, the Mighty God, the Everlasting Father and Prince of Peace, lowered down to a mere man, and that sacrifice demanded which he offered without the gates of Jerusalem. That the Son of God, and the blood of the everlasting covenant was trodden under foot, and counted an unholy thing. That these diabolical doctrines had their origin in a proud Luciferian spirit, and was a sin that ought to be punished by the judges, and that if the elders, on this extensive continent, had kept their places, they would have been able to put a stop to these infidel doctrines that were spreading far and wide among us—adding that it was not the individuals but the spirit thou bore testimony against. This we think is near the substance of a considerable part of thy communication.

Our discipline, in this country, points out an order to be observed which ought to be imperative, especially on those who are travelling in truth's service—although thou mentioned no names, we think thou made some personal allusion, by referring to something thou had heard in that house, perhaps the day previous. If any thing then had been delivered that gave thee such uneasiness, it would have been more consistent with gospel order, to have sought a private opportunity with the individuals, than to have

brought such a railing accusation against them in a large assembly, very few of whom were present the day before, and therefore could not tell to what thou wast alluding. And as those whom we suppose thou wast implicating, by alluding to something thou had heard in that house, were ministers in high estimation with their friends at home, and travelling on a religious account with the unity of their respective meetings equally with thyself—they were also with thyself equally subject to the care of elders, wherever they gave cause of uneasiness. Thy conduct in this respect we must protest against, as inconsistent with gospel order, unbecoming a minister of the gospel towards their fellow labourers, (even supposing thou had apprehended some unsoundness of doctrine,) and calculated to sow discord among brethren, and produce disorder in the church.

But we were all present at the meeting of ministers and elders the day previous, and heard what was delivered, and are fully satisfied in our own minds that thy charges were not correct. The character and mission of the Messiah was exalted and held up to view as our true pattern, instead of being brought down to the level of a mere man—the sacrifice of our sinful affections on the cross clearly set forth as the only means of reconciliation with God, and the life of Christ in the soul of man, as the alone atoning blood that can effectually wash away our sins. And as George Fox testifies, “there are none know Christ nor his sufferings but by the spirit of God within,” so we believe propitiation to be an experimental work in the soul of man, and fully consistent with a right understanding of the scriptures, and the doctrines taught by our early Friends generally.

We also believe thy charges of infidelity were nowise applicable to the state of our Quarterly Meeting, as we know of no such principles among us; and some fears presses our minds, that by letting thy views too much outward, thou hast, in some measure, been led astray by the influence of that detracting spirit, so sorrowfully prevalent in the present day, and therefore suffered thy mind to become prejudiced against some individuals, which has had a tendency to excite the natural feelings, and possibly to mistake imagination for revelation.

We therefore earnestly recommend thee to a closer attention to the divine gift, that by moving alone under its holy influence thou may have a clear sight of the true state of the church, and happily be instrumental in healing the breaches already made; and in the further progress of thy religious labours amongst us, be enabled to bring forth the precious fruits of righteousness, brotherly kindness, and charity, which we most sincerely desire.

Thy friends,

(Signed,)

JOHN HUNT,
EDWARD GARRIGUES,
JOHN H. BUNTING,
HALLIDAY JACKSON.

Twelfth-month 5, 1826.

Page 176. Exhibit T. Census of the two parties; produced by Halliday Jackson.

Census of the two parties of Friends within the Yearly Meeting held at Philadelphia, stating the number in each Quarterly Meeting, so far as ascertained, up to 1829.

	Total.
1. Philadelphia Quarterly Meeting.	
Number of Friends, including men, women, and minors	2676
Number of those called Orthodox ditto.	2643
Number of neutrals, or those undecided	14
2. Abington Quarterly Meeting.	
Number of Friends, including men, women, and minors	2829
Number of those called Orthodox ditto.	321
Number of neutrals or undecided	3
3. Bucks Quarterly Meeting.	
Number of Friends, men, women, and minors	2831
Number of those called Orthodox ditto.	489
Number of neutrals, or undecided	16
4. Concord Quarterly Meeting.	
Number of Friends, men, women, and minors	2573
Number of those called Orthodox ditto.	788
Number of neutrals, or undecided	75

5. Western Quarterly Meeting.

Number of Friends, men, women, and minors	-	-	-	2296	
Number of those called Orthodox ditto.	-	-	-	454	
Number of neutrals, or undecided	-	-	-	70	2820

6. Cain Quarterly Meeting.

Number of Friends, men, women, and minors	-	-	-	921	
Number of those called Orthodox ditto.	-	-	-	557	
Number of neutrals, or undecided	-	-	-	175	1663

The numbers in the following Quarterly Meetings ascertained under commissions issued from the Supreme Court of Pennsylvania for the Eastern District.

7. Southern Quarterly Meeting.

Number of Friends, men, women, and minors	-	-	-	501	
Number of those called Orthodox ditto.	-	-	-	30	531

8. Burlington Quarterly Meeting.

Number of Friends, men, women, and minors	-	-	-	1049	
Number of those called Orthodox ditto.	-	-	-	800	1849

9. Haddonfield Quarterly Meeting.

Number of Friends, men, women, and minors	-	-	-	821	
Number of those called Orthodox ditto.	-	-	-	789	
Number of neutrals, or undecided	-	-	-	76	1686

10. Salem Quarterly Meeting.

Number of Friends, men, women, and minors	-	-	-	1238	
Number of those called Orthodox ditto.	-	-	-	296	1538

11. Shrewsbury and Rahway Quarterly Meeting.

Number of Friends, men, women, and minors	-	-	-	730	
Number of those called Orthodox ditto.	-	-	-	175	925

Total....26,258

Aggregate of Friends within the Yearly Meeting, as far as ascertained, up to 1829, - - - - - 18,485

Aggregate of those called Orthodox, to same period, - - - - - 7,344

Aggregate of neutrals, or undecided, to same period, - - - - - 429

Total....26,258

In twenty-one Monthly Meetings in Pennsylvania, the numbers were taken as both parties stood at the division.

Page 177. *Exhibit U. Minute of Darby Monthly Meeting; produced by Halliday Jackson.*

To Nathaniel Newlin, Thomas Garret, William Carter, Nathan Garret, and others, who have separated from the Monthly Meeting of Friends held at Darby:—

This meeting being desirous to adhere to the long well known and pacific principles of the Society of Friends, in relation to the settlement of differences respecting property, without an appeal to our courts of law, we appoint the undernamed Friends a committee to represent this Monthly Meeting, in order to confer with you, or such persons as you may appoint and authorize for that purpose out of your number, to endeavour to make an amicable arrangement for a just and equitable settlement of the property belonging to the said Monthly Meeting of Darby, as was held by the said parties in common, previous to the separation, and which may be in accordance with strict justice, and best tend to mutual satisfaction—to wit: John Hunt, Edward Garrigues, Joseph Bunting, Thomas Steel, James Bunting, Halliday Jackson, and John H. Bunting.

Taken from the minutes of Darby Monthly Meeting, held the 28th of Seventh-month, 1829, and signed on behalf thereof.

ISAAC BARTRAM, *Clerk.*

Page 212. Exhibit W. Proposition to Trustees of Ancocas School; produced by Charles Stokes.

To Joseph Wills and others, who with him claim to be the trustees of Ancocas School:—

It is a fact, (the cause of which it is not necessary here to recapitulate,) that the persons who were formerly united as composing Ancocas Preparative Meeting, have of latter time become divided, and now form two distinct bodies, each claiming to itself the ancient title of "Ancocas Preparative Meeting." This has led to measures likely in a material manner to disturb the wonted harmony formerly subsisting among the members; and which may probably continue, and perhaps increase, so long as each of those bodies claim the undivided control of those interests which were formerly enjoyed in common by all the members: For the remedy of which, to prevent the heats and strifes which may otherwise arise, and as much as possible to restore again kind feeling and good neighbourhood, we, who also claim to be the trustees of Ancocas School, make the following propositions:

1st. That a committee be appointed by your body, to confer with one to be appointed by ours; or, that if it should be by you thought better, the two bodies claiming to be trustees, to meet at such time and place as you may appoint, in order that an attempt may be made to reconcile, according to the requisitions of our discipline, and the ancient practice of the Society of Friends, the differences between us.

2nd. If the foregoing proposition should not be acceded to, that you communicate to us, in whatever way you may the most approve, a plan for adjustment, by means of amicable reference, or any other method which to you may appear adviseable.

3d. If neither of the foregoing propositions should appear desirable to adopt, we then propose that either you or we take the absolute control of the school establishment, upon the following conditions, to wit: By the payment or refunding to the other all the money by them contributed to the institution, with a proportionate share of all contributions made by individuals who now have no representatives, either with you or us; the body thus receiving back again said contributions to relinquish all future claims to, or control over, the management of said concern—leaving those who advance the money the undisputed control of the establishment, being then their own property.—To you it is left to elect whether to give or to take.

We presume you cannot but discover in the above propositions, a disposition that would put an end to strife, which, if it be reciprocated by you, cannot but be of beneficial consequences, both as regards the tranquillity of individual minds, as well as the harmony of our neighbourhood. We desire no advantages over you—we know that you have contributed your money—we also know that we have contributed ours—and we no more wish to control it, or to be benefitted by it, to the exclusion of you, than we are unwilling that you should control ours, or be benefitted by it to the exclusion of us.

And lastly, we feel authorized to state to you, to remove any doubts which may exist as to the legality of such an adjustment, that it will be ratified by our Preparative Meeting. And if this should not be thought sufficient security, individual responsibility will be assumed, with which we trust you will be satisfied.

Signed on behalf, and by direction, of the trustees of Ancocas School.

CHARLES STOKES, *Clerk of Trustees.*

Third-month 7th, 1829.

The foregoing communication was agreed upon, and the clerk was directed to make two fair copies thereof, and procure one to be furnished to Ezra Haines, (who is said to be the clerk appointed by the Orthodox who call themselves trustees,) by a person who is not a member of the society,—he retaining one copy, upon the back of which he is desired to endorse the time when, and the person to whom, he delivered the copy.

Pages 263—81. Exhibit X. List of members of New York Yearly Meeting; produced by John Barrow.

	Friends.	Orthodox.	Neutrals.
Westbury Quarter.....New York.....	1494	477	37
Flushing.....	111	34	3

		Friends.	Orthodox.	Neutrals.
Westbury Quarter.....	Westbury	341	39	
	Jericho.....	211	9	3
Purchase.....do.....	Purchase.....	406	123	16
	Shapagua.....	440	96	73
	Amawalk.....	342	113	12
Nine Partners.....	Nine Partners.....	352	83	24
	Oblong.....	241	82	7
	Oswego.....	449	116	19
Cornwall.....	Cornwall.....	345	102	40
	Marlborough.....	135	256	20
	Plains.....	225	185	41
Stanford.....	Creek.....	405	80	8
	Stanford.....	299	114	3
	Hudson.....	294	30	2
	Chatham.....	250	20	4
Easton.....	Easton.....	227	11	4
	Danby.....	318	81	11
	East Hoosack.....	48	41	6
	Troy.....	315	5	
Ferrisburgh.....	Ferrisburgh.....	129	246	28
	Peru.....	144	155	42
	Starkborough.....			no return
Saratoga.....	Saratoga.....	260	32	10
	Milton.....	107	38	3
	Queensbury.....	174	168	6
	Galway.....	227	35	3
	Le Roy.....	58	200	57
Duanesburg.....	Duanesburg.....	150	80	9
	Coemans.....	342	93	16
	Rensselaerville.....	323	78	24
	Butternuts.....	86	150	20
	Bridgewater.....	26	277	12
Farmington and Scipio.....	Farmington.....	481	380	81
	Scipio.....	560	222	39
	De Ruyter.....	247	48	9
	Junius.....	226	14	15
	Hamburg.....	394	120	59
	Rochester.....	495	546	24
	Collins.....	159	200	11
Canada.....	Yonge street.....	299	358	22
	Putnam.....	240	69	14
	Norwich.....			no return
	Adolphus town, 2 or Westlake. }	163	307	21
	Eden.....			no return
		12,532	5,913	857 Total 19,3

Page 264. Exhibit Y. Minute of New York Meeting for Sufferings; produced by Joel Barrow.

At a Meeting for Sufferings, held in New York 6th of Tenth-month, 1828, the meeting having its attention turned to that part of the extracts from the Yearly Meeting which advises, that in all cases where the rights of property are involved, Friends can fully maintain our Christian character, in the strict observance of justice and equity and in order to carry the same into effect, the following Friends are appointed to confer with those who have separated from us, commonly called Orthodox Friends, and to inform them that the Meeting for Sufferings are disposed to come to an equitable settlement in relation to the property belonging to the Yearly Meeting.

Extracted from the minutes,

JOHN BARROW, Clerk.

1822.—Samuel M. D. of New Neck, Thomas Everit, Thomas Walker, John Barrow, Nathan C. Stock, Joseph Hasdick, Whitehead Hicks.

The committee are and usually ready to receive proposals from those styled orthodox, to meet them whenever desired so to do, for the purpose of a full and explicit arrangement.

THOMAS EVERIT,
On behalf of the Committee.

Page 264. *Exhibit 2. Minute of New York Yearly Meeting, produced by John Barrow.*

First Quarterly, Monthly, and Preparative Meetings of Friends within the limits of the Yearly Meeting of New York.

DEAR FRIENDS,

As we are to discharge the duties which the discipline of the society has confided to us, and having in the nature of the concerns which have claimed our attention, been led to survey the white spaces of Jerusalem, to view the breaches in her walls, and the fires which are burned with fire, in this day of awful revolt, when great numbers like the children of Israel formerly, have estranged themselves from the law and the testimony, and have set up a separate altar which their fathers knew not; and well knowing that they are the afflictions of those who feel how they manifest their love to their holy Redeemer, and that many are the privations and painful bereavements of those who keenly feel the wounds inflicted on the tender ties of nature, and the diminution of the sweetness of domestic life—we have fervently desired that these may be supported by the remembrance that they suffer for the sake of Him, who said—"He that loveth father or mother more than me, is not worthy of me," and also by his gracious promise, "For if there is no man that hath left house, or brethren, or sisters, or father, or mother, or wife, or children, or lands, for my sake and the gospel's, but he shall receive an hundred fold now in this time, and in the world to come, eternal life."

We are sensible that many are the difficulties which attend you in relation to your religious meetings,—often small, and frequently held in very inconvenient situations; but it has been your experience, and you know, in your small assemblies, where you have been engaged to converse and to manifest that whatever be your trials, you feel yourselves bound to confess Jesus to be the Christ, and to acknowledge him as all-powerful and all-wise, that there he has made himself known amongst you by the breaking of bread—and that you have been comforted in the fulfilment of his gracious promise—"Where two or three are gathered together in my name, there will I be in the midst of them."

We affectionately and fervently desire for you, that you may be preserved in a state of patient endurance all the appointed season, till a way shall open in the Lord's time, which shall be the only right time, for your release from your outward trials, or for strength to bear them with till at an fortunate day you will be preserved from repining under suffering, so that attending in your own time, and in your own ways, to relieve yourselves from the various and inconveniences of your situation in relation to holding your religious meetings, and thus will you be restrained from even desiring to purchase ease by a sacrifice of principle and compromise in relation to property, with those whom we cannot a little while of our religious faith and communion, by which your hands would be greatly weakened in the exercise of the discipline of the society.

Finally, dear friends, we have to revive in your remembrance, that emphatic scripture declaration, "In quietness and in confidence shall be your strength."

We are your friends and brethren.

Witnessed by direction and on behalf of the Meeting for Sufferings, held in New York the 2nd of Tenth month, 1828.

SAMUEL PARSONS, *Chk.*

P. S.—The following is a minute of the Yearly Meeting, made in Fifth month, 1827.

"It was concluded, that in all cases of the discontinuance of meetings, where there is a necessity of disposing of such property as belongs, leasing, or selling, the sense and judgment of the Meeting for Sufferings shall be requested, and the meetings in future shall proceed accordingly."

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funerals with the same scrupulous regard to their accommodation and well-being as is claimed for our own members;—more, the committee could not grant, without a surrender of the trust delegated to themselves.

As the right of entrance appertains to the Monthly Meeting, they have not confided the key to their own sexton.

It seems to the committee, that no one of either party ought to be dissatisfied with the disposition manifested by the committee, in the arrangements adopted; and that, having occurred among us, of a violation of courtesy or infringement of propriety, there are those who are uneasy with this liberal and friendly course, so be it on any occasion, they might perhaps receive benefit from the admonition of Solomon: "The beginning of strife is as when one letteth out water, therefore leave off contention before it be meddled with." Prov. xvii. 14.

The committee have learned, that the Orthodox Friends have recently purchased a sexton of their own, and are building a hearse; by which it is evident that they contemplate a departure from the practice heretofore pursued. Any departure in form cannot be material, and, if more agreeable to our Orthodox Friends, there is no objection to their employing their own hearse and sexton. The character of the session of the yard, however, must continue in the sexton of the Monthly Meeting, for their behalf, and no acts can be permitted inconsistent with that possession. As it is in accordance with that, interments will be permitted as heretofore; and on application made for admittance, to our sexton, David P. Smith, every facility will be afforded. A forcible entry through the gate, is, in every point of view, to be deprecated as a trespass on the lawful possession of the Monthly Meeting of Friends, and is in itself uncalled for, and unbecoming; a Christian people.

On behalf of the Committee,
SAMUEL WILLIAMS

New York, Second-month, 1840.

Page 276. Exhibit B 2. Report of Committee; produced by John Bar

The committee appointed to investigate the subject of a communication to this meeting, signed by Thomas Hauxhurst, Samuel Wood, Wm. F. Moten, R. Willis, on behalf of themselves and other friends assembled on the occasion, make the following report—

To THE MONTHLY MEETING,

The committee to whom was referred a communication addressed to the Monthly Meeting, signed by Thomas Hauxhurst and others, have had the same under-

ing, are altogether peculiar and unprecedented, and such as exert a strong influence on our sympathy and christian benevolence; and in the attitude taken by our Yearly Meeting, it seems to us that Friends have consulted the spirit of the discipline and done justice to the requirements of the case.

With regard to the proceedings had by the Preparative Meeting in Rose street on the subject of removing their clerk, &c. Friends in that case appear, upon inquiry, not to have transcended in any degree the prerogatives universally conceded to all our meetings by discipline; indeed to deny to meetings this salutary privilege, of superseding clerks at discretion, would be to subject them, in a great measure, to the control of an individual, who, by the abuse of his authority, might saddle upon Friends the most onerous enactments of ecclesiastical despotism.

As regards the individuals who got up this remonstrance the committee wish to cherish feelings of charity, but under a sense of incumbent obligation, we sincerely deplore the proceedings. A parte meeting, ostensibly held for the plausible purpose of obtaining a redress of grievances, but in their operation fraught with consequences dangerous to society—may not a direct tendency to engender and cherish disaffection and jealousy among Friends, and to foment party spirit, the bane of christian fellowship; if continued they probably merge social sentiment in disunity and sectarianism, this monster with many heads! “There is,” says the apostle, “one faith and that not of yourselves, it is the gift of God.” Those who are of *this one faith* will certainly maintain christian unity, although peradventure, on non-essentials, the variety in the colour of their ideas may be like that of forest leaves in autumn. This view is corroborated by the following extract from the journal of that excellent and judicious Friend, John Woolman, deceased; he says, “I was led in this Yearly Meeting to mention the constancy of many martyrs who gave up their lives for the testimony of Jesus, and yet in some points held doctrines wishable from some which we hold; and that now, though there are *different ways of walking amongst us*, in some particulars, yet if we mutually kept to that spirit and power, which crucifies to the world, giving up our hearts to serve the Lord, &c. true christianity may still be preserved amongst us.” Is not this sentiment applicable to the present case?

In an investigation the committee do not discover, that the conduct referred to in the remonstrance, as occurring after the adjournment of the Preparative Meeting in Rose street, will justify the language applied to it of a *scene painful in the extreme*. It is, however, an unhappy reflection, to consider how repeatedly our meetings, both for worship and discipline are interrupted, and their solemnity disturbed by the spirit of discord that prevails abroad at noonday; this the committee apprehend is the source of disquiet and uneasiness, and its streams making a slow but continued inroad upon the borders of our christianity are spreading distress and desolation in their course.

When,” says the remonstrance, “new and important measures have come before our meetings, instead of that condescension which has heretofore secured harmony, they are conducted under the influence of much excitement, been hurried through the meetings by a variety of voices.” This allegation having a general reference to all our meetings by discipline, appears partly incorrect in fact, for during many months past, we have, to the opposition of individuals, witnessed greater delay in transacting the business of the Yearly Meeting than we ever knew before. The prevailing sense of the meeting having been one of opposition, more stern and enduring than has formerly been experienced in similar liberations, and the progress of business proportionably retarded, so that it has happened that a single case, which with reasonable condescension, could hardly have been decided in the meeting twenty minutes, has from the opposition of individuals, protracted the discussion for some hours, much to the grief of many sincere hearted Friends.

The remonstrance closes with asking the Monthly Meeting's assistance, as it would be in its own case; but, if the meeting is assisted within its own precincts, it must depend on the faithfulness of individuals, who in the exercise of their gifts all stand on equal ground—neither is it apparent that any benefit will arise from applying to the Yearly Meeting; but we would recommend increased care on the part of our overseers to remedy such disorders as occur within our meetings or elsewhere, and also engage other concerned Friends to a closer attention to their respective duties in the maintenance of the order and discipline of our religious compact, so that through the influence of divine wisdom the fostering hand of society may yet put an end to every source of disorder amongst us.

As to the authority,” says George Fox, “of all our men's and women's meetings is the authority of God,” so may all faithful Friends wait for the arising of this power to which the gathering of the people should be, that under its influence the final decision of our meetings for discipline may be held conclusive in the estimation of all the brethren, and some should not at first be convinced of the rectitude of such decisions, yet sub-

mitting in the faith and the patience, they may be favoured to experience that all work together for the edification of the sincere in heart.

To close our remarks, the committee with no intention to criminate any individual cannot but regard such meetings as issued this remonstrance, in the light of disorderly assemblages, and we fear their acts will prove the budbuds of confusion and disorder and unless society are apprised of this fact in time, and adopt measures suitable to the occasion, unless they are admonished by the dictates of experience to maintain the authority of discipline in its purity, they may, like one of old, become "dim of sight" and hear at length the sorrowful message, "Israel is fled before the Philistines, and the ark of God is taken."

(Signed,)

WHITEHEAD HICKS,
JOHN S. ROBINSON,
DAVID S. BROWN,
NATHAN COMSTOCK,
ELKANAH WOOD,
ROBERT HICKS.

Eleventh-month, 1827.

This report on being duly considered was united with and adopted by the meeting and the subject was dismissed from the minutes.

This is to certify that the foregoing remonstrance signed by Thomas Hauxhorn and others, and the report of the committee appointed to consider the same, as well as the minutes of the meetings as above, are all correct copies as recorded in minutes of the Monthly Meeting of New York.

SAMUEL WILLITTS, *Clk*

Page 276. Exhibit C 2. Minute of Westbury Quarterly Meeting; produced by Burrow.

At Westbury Quarterly Meeting held at Westbury the 21th of Fourth-month, 1827.

The Friends nominated to examine some papers presented to our meeting, and by some members of New York Monthly Meeting, now reported that they had examined the papers, and proposed for them to be read, which being agreed to at that meeting, they were read accordingly; and it was concluded to appoint a committee to attend that Monthly Meeting, and examine into the subjects therein contained, and to report to next meeting their sense of the propriety of those statements, to which the following Friends were appointed, namely: Jane Merrill, Zebulon S. Isaac Downing, David Seaman, Samuel Pearsoll, Jonas Prior, Henry Merrill, Stephen Downing, Valentine Hicks, Arden Seaman, and Thomas Whitson.

At Westbury Quarterly Meeting held at Westbury the 24th of Seventh-month, 1827.

The committee appointed at last meeting to attend the Monthly Meeting of New York, to inquire into the propriety of some charges exhibited against that meeting and some of its members, made the following report.

We have paid attention to our appointment, and most of our number, the committee attended the Monthly Meeting of New York, heard the parties in the case, and did not find that they had any just cause to complain of that meeting.

The foregoing are true copies of minutes on the records of Westbury Quarterly Meeting.

STEPHEN UNDERHILL, *Clk*

Page 287. Exhibit D 2. List of Friends in the Society of Propriety Meeting; produced by Josiah Underhill.

John C. Abbott
John Lippincott
Benjamin Thorn
Michael Taylor
Samuel Taylor
Isaiah Taylor

William Hilton
Asa Middleton
Samuel Middleton
Josiah Middleton
John Middleton
Robert Middleton

Arthur Gaskin
Joseph Gaskin
Isaac Satterthwaite
Edward Field
Joseph Foster
David Foster

el Satterthwait
t Field
a Satterthwait
re Satterthwait
Satterthwait
Ellis
Brown
an Field
ldren fifty-nine.

Joseph Middleton
Chamless Middleton
Josiah Gaskill
Stacy Decow
Thomas Bellanger
Edward Middleton
Isaac Decow
Crawford White

William Satterthwait
William Carselake
James Haydock
James Taylor
Mordecai S. Middleton
Joshua Shotwell
Aaron Gaskill
Aaron Middleton.

Women Friends.

uret Ivins
Clayton
Brown
ah Fowler
ah Ellis
beth Ellis
ah Hendrickson
beth Shotwell
Thorn
ul Ellis
ah Lippincott
beth Lippincott
ul Satterthwait
Satterthwait
beth Satterthwait
Satterthwait
ah Satterthwait
Taylor
ah Taylor
Taylor
ah Woodward

Mary Field
Mary Field, jr.
Tabitha Field
Phebe Hilton
Sarah English
Eliza Potts
Increase Woodward
Mary Borden
Mary Gibbs
Elizabeth Middleton
Elizabeth Middleton, jr.
Anne Middleton
Martha Middleton
Mary Taylor
Eliza Gaskill
Sybilla Middleton
Rachel Middleton
Ann Hendrickson
Mary Hendrickson
Catherine Ann Robbins

Anna White
Ann Belangee
Sarah Gaskill
Mary G. Taylor
Tomlinson Howard
Sarah Stilwell
Susan Rodgers
Helen Decow
Hannah Field
Susan Halloway
Lydia Woodward
Maria Woodward
Ann Carselake
Rebecca Woodward
Clement Woodward
Dorothy Lee
Sarah Taylor, jr.
Ann Eliza Shinn
Hannah Taylor
Elizabeth Woodward.

287. Exhibit E 2. List of Orthodox in Chesterfield Preparative Meeting; produced by Josiah Gaskill.

el Bunting
re Thorn
rd Thorn
Hendrickson
el C. Taylor
m Clarke
h Clarke
Satterthwait
min Middleton
h Hendrickson
Hendrickson
ew Forsythe
h Hendrickson, jr.
a Bunting
an Middleton
Woodward.
ldren twenty-seven.

Joel Middleton
Warren Tatum
Aaron Bunting
Joseph Decow
Mary Hendrickson
Mary Schooley
Rebecca Schooley
Mary Schooley, jr.
Ann Schooley
Elizabeth Hendrickson
Ruth Rodgers
Phebe Middleton
Mary Thorn
Sarah Robbins
Mary Robbins

Deborah Bunting
Charlotte Taylor
Charlotte Taylor, jr.
Charlotte Taylor
Sarah Decow
Miriam Decow
Eliza Middleton
Sarah Hendrickson
Jane Bunting
Deborah Satterthwait
Elizabeth Clarke
Ann Folwell
Amy Middleton
Acksa Decow
Caroline Bunting

Exhibit K2. Page 289. Subscribers to Cranwick's School, produced by Josiah Gaski

Subscribers' Names	Amount subscribed.	Friends living at the time of the separation	Children living at the time of the separation that are Friends	Self-styled Orthodox living at the time of the separation.	Children of the self-styled Orthodox living at the time of the separation	Members deceased before the separation and no children known	Children of members deceased before the separation, that are not members	Lost in the hands of
Joshua Bunting	20 00				1 20,00			
Joshua W. Satterthwait	35 00		11 30,10		1 1,10	2 3,00		
William Abbott	30 00		2 30					
Samuel Abbott	30 00	30,00						
Isaac Horner	5 00					5,00		
Nathan Middleton	30 00		6 25,17, 2				1 4,2,10	
Thomas Lawrie	25 00				4 25,00			
Joseph Forsythe	5 00		2 2,00		2 2,00		1 1,00	
Gideon Middleton	7 00	7,00						
John Tatum	5 00						5 5,00	
John Stevenson	5 00		4 4,00				1 1,00	
William Chapman	5 00					5,00		
John Abbott	30 00		3 18,00		2 12,00			
Samuel Radford	4 00						2 4,00	
Henry Allen	5 00		1 1,00				4 4,00	
John Wright	7 10		5 6,05				1 1,05	
Hannah Middleton	5 00		1 5,00					
Ann Lawrie	10 00		2 10,00					
Esther Lippincott	1 10					1,10		
Rhoda Tilton	1 10			1,10				
Mary Allen	15 10		2 00,15,10					
Rhoda Robbins	5 00		1 5,00					
Hannah Hanks	5 00					5,00		
Isaac Collins	7 10		1 00,11, 6		12 6,18,6			
Robert Wright	7 10						2 7,10	
Alice Merrit	4 00	4,00						
Marinaduke Watson, jr.	10 00					10,00		
Joseph Bullock	28 00	28,00						
Thomas Taylor	7 10				2 3,15		3 3,15	
Joseph M. Lawrie	50 00							50,00
Jacob Middleton	30 00		3 30,00		1 10,00		1 10,00	
William Satterthwait	10 00		3 6,00				2 4,00	
Aaron Wright	30 00							30,00
Joel Chesher	5 00							5,00
Elijah Field	15 00	15,00						
Isaac Combs	3 00	3,00						
Thomas Combs	3 00	3,00						
George Williams	3 00		2 1,00		3 1,10		1 00,10	
Samuel Clevenger	2 00							2,00
Fretwell Wright	4 00					1,00		
Lydia Moore	1 00						1 1,00,2,6	
John Taylor	7 10						2 7,10	
	80,00		179,19, 6	1,10	82,18,6	30,10	57,15,187,0	

	Number of Names.	
Amount subscribed by Friends living at the time of the separation,	7	80,00,00
Subscribers' children living at the time of the separation that are with Friends,	48	175,19,00
Subscribers living at the time of the separation of the self-styled Orthodox,	1	1,10,00
Subscribers' children living at the time of the separation of the self-styled Orthodox,	28	82,18,00
Subscribers deceased before the separation, and no children known,	6	30,10
Children of subscribers deceased before the separation, that are not members at the time of separation,	28	57,15,01
Lost in the hands of subscribers,	4	87,00
Chesterfield Preparative Meeting's quota of the 1st of the Quarter.		54,18,01

317. Exhibit N 2. Lists of Chesterfield Preparative Meetings; produced by James Brown.

A list of Orthodox Friends in Chesterfield Preparative Meeting.

iel Bunting	Joseph Decow	Charlotte Taylor, jr.
ge Thorn	Samuel Halloway (neutral)	Sarah Decow
rd Thorn	Sarah Chapman	Miriam Decow
s Hendrickson	Mary Hendrickson	Eliza Middleton
iel C. Taylor	Mary Schooley	Sarah Hendrickson
am Clarke	Rebecca Schooley	Jane Bunting
h Clarke	Mary Schooley, jr.	Deborah Satterthwait
s Satterthwait	Ann Schooley	Elizabeth Clarke
amin Middleton	Elizabeth Hendrickson	Mary Ann Clarke
sh Hendrickson	Ruth Rodgers	Ann Folwell
Hendrickson	Phebe Middleton	Amy Middleton
ew Forsythe	Mary Thorn	Acksah Decow
sh Hendrickson, jr.	Sarah Robbins	Caroline Bunting
ia Bunting	Mary Robbins	Mary Woodward
an Middleton	Deborah Bunting	Lydia Corlies
Middleton	Charlotte Taylor	Phebe Williams
an Tantum	Charlotte Taylor	Lydia Forsythe
la Tilton.		

A List of Friends belonging to Chesterfield Preparative Meeting.

C. Abbott	Asa Middleton	Isaac Satterthwait
Lippincott	Jediah Middleton	Edward Field
amin Thorn	Samuel Middleton	Joseph Forsythe
ael Taylor	Jacob Middleton	David Tantum
iel Taylor	Robert Middleton	William Satterthwait
l Taylor	Joseph Middleton	James Haydock
iel Satterthwait	Chamless Middleton	James Taylor
ia Satterthwait	Josiah Gaskill	Mordecai S. Middleton
ge Satterthwait	Stacy Decow	Joshua Shotwell
n Satterthwait	Isaac Decow	Joseph Satterthwait
rt Field	Thomas Belangee	Aaron Gaskill, jr.
r Ellis	Edward Middleton	Jacob R. Middleton
s Brown	Crawford White	Jehu Lippincott, jr.
an Field	Aaron Gaskill	Gideon Middleton.
am Hilton	Joseph Gaskill	

Women Friends.

aret Ivins	Acksah Taylor	Rachel Middleton
Clayton	Sarah Taylor	Ann Hendrickson
Brown	Mary Field	Mary Hendrickson
bah Fowler	Mary Field, jr.	Catherine Ann Robbins
bah Ellis	Tabitha Field	Anne White
beth Ellis	Phebe Hilton	Ann Belanger
iah Hendrickson	Sarah English	Sarah Gaskill
beth Shotwell	Eliza Potts	Mary G. Taylor
r Thorn	Increase Woodward	Tomlinson Howard
ail Ellis	Mary Borden	Sarah Stilwell
ah Lippincott	Mary Gibbs	Helena Decow
beth Lippincott	Elizabeth Middleton	Susan Holloway
Satterthwait	Elizabeth Middleton, jr.	Lydia Woodward
ail Satterthwait	Anne Middleton	Maria Woodward
beth Satterthwait	Martha Middleton	Dorothy Lee
Satterthwait	Mary Taylor	Sarah Taylor, jr.
ah Satterthwait	Eliza Gaskill	Ann Eliza Shinn
Taylor	Sybilla Middleton	Elizabeth Woodward
iah Woodward.		

first day in Seventh month, in the year next ensuing.

It was agreed, that Henry Wallis and John Brown be desired to request Long Island, Rhode Island, and Shrewsbury, that they will give consent, that the Yearly Meeting for the future may belong to the Yearly Meeting at Burlington.

At a Yearly Meeting, held at Burlington at the house of Thomas Coker, the 15th day of Seventh month, 1682.

It was generally agreed by Friends of Long Island and Rhode Island, that the Shrewsbury Meeting shall from henceforth belong to our Quarterly meetings.

At a Yearly Meeting, held in Burlington, at the house of Thomas Coker, the 15th day of Seventh month, 1683.

Whereas, this meeting has judged it requisite for the benefit and advancement of the mutual comfort of Friends, that a general Yearly Meeting might be held in the provinces in these parts, northward as far as New England, and southward as Carolina, that by the coming of Friends together from the several parts, as is professed, the affairs thereof may be better known and understood, and the same may be assented to by Friends in those parts and places as above is agreed, that William Penn, Christopher Taylor, Samuel Jennings, James Thomas Dove, and Mathew Stacy, do take each method by writing or speaking, as may best fall out for the convenience, in order to have it published.

Agreed, that the Friends above named do take care to write to the Yearly Meeting of Friends in England, in order to give an account of the affairs of truth, and take to their assistance such other Friends as they shall see meet.

Agreed, that the next Yearly Meeting be held at Burlington the first day of Seventh month, next ensuing.

Minutes of 1684 are all lost.

At a Yearly Meeting, held at Philadelphia, the 15th day of Seventh month.

Minutes being made of the epistle sent formerly requesting the assent of a general meeting may be held here and in New Jersey, and that some of the respective provinces might be sent yearly to attend the said meeting, and an account of the affairs of truth, and that some of the correspondents might be desired to write, on each side was read, and then read in the Yearly Meeting at Herring Creek in Maryland, the words therein, and a general proposition thereof, and accordingly appointed Francis B. a yearly meeting to attend. A copy of which epistle hereafter follows as also some Friends in the said province, give an account of Friends' unity there with them, but had nothing committed to them in relation to it by the meeting, and

epistle, dated Philadelphia the 24th day of Seventh-month, 1684, which was communicated to our last Yearly Meeting in Third-month, which our said meeting had good unity with, and finding ourselves, together with you, concerned for the peace and prosperity of the church of Christ in these parts, did therefore appoint that two Friends should be chosen by each Quarterly Meeting for the future, and accordingly at our Quarterly Meeting at Herring creek, the 5th day of Sixth-month, 1685, our beloved friends and brethren Francis Billingsly and Richard Harrison were appointed for that service, to whom we refer you for further information and consultation of the affairs of truth in those parts. Our prayers are that the God of truth and wisdom may be with you, and that true unity, peace, and prosperity may remain for ever in the church of which Christ Jesus is the head and lawgiver.

Signed by appointment of our Quarterly Meeting at Herring creek, the 5th of Sixth-month, 1685.

WILLIAM RICHARDSON,
RICHARD HALL,
RICHARD JOHNS.

It was therefore unanimously agreed and concluded by this meeting, that there be but one Yearly and general meeting in this province and West Jersey, one year at Burlington and another at Philadelphia, and to be held the next year at Burlington, on the first First-day of Seventh-month, and to continue first, second, and third days of Seventh-month for worship, and the fourth day to be for the men's and women's meetings. The next year after to be at Philadelphia, on the same day of the same month, and to continue the same time—this agreement to continue till further orders.

It is further agreed, that Friends in the ministry do meet together on the first day morning, at the seventh hour, before the public general meetings, in such place as shall be prepared by the public Friends of each town where the meeting shall be kept that year.

Agreed, that our next Yearly Meeting be held at Burlington as aforementioned,

“At a general Yearly Meeting held for Friends of Pennsylvania, East and West Jersey, and of the adjacent provinces, held in the meeting house at Burlington, the eighth day of Seventh-month, 1686.”

“The Friends in Maryland having appointed William Sockwell and William Sharp for their Quarterly Meeting at Choptank, and William Berrey for Herring creek Quarterly Meeting; but none appearing for Virginia nor Carolina, its agreed, that they be writ to again, to request their consent to have this as a general Yearly Meeting as formerly proposed.”

“Agreed, that two Friends or more be appointed out of every Quarterly Meeting that are capable to give an account of the affairs of truth, to attend this general Yearly Meeting to be held from time to time until the said meeting shall be ended.”

Page 404. *Exhibit T 2. List of Representatives to the Yearly Meeting in 1827; produced by Thomas Evans.*

Philadelphia—Thomas Stewardson, John Cooke, Charles Townsend, Edward Randolph, John Paul, Timothy Paxson, William Evans, Joseph Gibbons, Henry Cope, Thomas Wistar, Ellis Yarnall, Jacob Ballenger, Abraham Lower, Joseph Snowdon, Samuel Noble, Israel W. Morris, Walker Moore, Joseph Rhoads, Jacob Thomas, Ellis Lee, James Starr, Jacob Haines, Jacob Clayton, Henry Battin.

Abington—Jacob Paxson, Samuel Scholfield, George Hallowel, William Grant, Joel Woolman, Peter Robeson, Isaac Whitelock, Joseph Jones, James Walton, Joseph Peirce, Benjamin Walmsley, James Townsend, Isaac Parry, George Spencer, George Shoemaker, Gove Mitchell, Ezra Comfort, George Martin, Samuel Thomas, Joshua Paxson, John Foulke, Evan Penrose, Richard Moore, Jesse Iden, John Z. Flagler, Daniel Stroud, Enoch Walker, William Pickering.

Bucks—Abraham Harding, John Miller, jr. Elijah Fish, John Comfort, Michael Trump, John Watson, (Middletown,) Benjamin Mather, Marden Wilson, Jacob Trego, Israel Lancaster, John Watson, (Buckingham,) Thomas Carey, Cephas Ross, Watson Fell, John L. Johnson, Aaron Eastburn, Moses Eastburn, Mahlon Yardley, Joseph Briggs, David Roberts, William Taylor, John Tucker, John Simpson, William Trego.

one-fifth or one-sixth of the whole number that will adhere to the old establishment; they deal out many charges upon us, both from the press and pulpit, as seceders, separatists, new-lights, followers of Elias Hicks, &c. and also charge us with infidel principles; but we have not altered from the ancient faith and doctrine of the society, neither separated from the Society of Friends, but from that spirit of contention and intolerance which had prevailed to a lamentable degree, whereby the bonds of our religious union was broken, and to regain that and restore harmony and love in the Society, is the alone object of those who have thought it right to organize another Yearly Meeting, or perhaps it may more properly be said, to reorganize the old, for it will undoubtedly have the best claim to that character; Baltimore has recognised it by reading our epistle and sending a reply, and I think many more will. Indiana and Ohio has been sadly priest-ridden by the British ambassadors this last season, but they have so effectually sown the seed of discord among them, that another year will produce a revolution there, I have very little doubt. There is a paper published in Wilmington called the Berean, well calculated to spread light on these subjects; I should be glad it was circulated among you.

Thy friend,

HALLIDAY JACKSON.

Page 276. Exhibit No. 44½. Statement laid before the Monthly Meeting in New York; produced by John Barrow.

To the Monthly Meeting of New York.

Recent circumstances in the Preparative Meeting of New York for the southern district, have induced a considerable number of Friends belonging thereto, to lay the following statement before the Monthly Meeting.

At a Preparative Meeting held in Eighth-month last, a request was made for a certificate of removal, directed to the Monthly Meeting of Green street in Philadelphia, but a minute from the north Monthly Meeting in that city having been read in one of our previous Monthly Meetings, informing us that the Monthly Meeting of Green street had been dissolved by the Quarterly Meeting to which it had belonged, and had been joined to that meeting,—we considered it irregular and improper to grant the request. The clerk believing, that he could not consistently form a minute recognising a meeting that did not exist according to the order of society, the subject was left for that time.

At our next Preparative Meeting, held the 26th of Ninth-month, the request was again revived, but the same objection to correspond with a meeting that had been annulled by its superior meeting remaining in full force, and the clerk still believing that he should violate the duty he owed to society by forming such a minute, he again declined making it. This subjected him and the Friends who were opposed to so irregular a proceeding to many unkind remarks, and he was directed in this as well as the previous meeting, to leave his seat. As he had been regularly appointed clerk for one year only three months previous by the full unity of the meeting, he believed it right not to comply.

A committee was then nominated to propose another clerk at an adjournment of the meeting, at which time there was one named to act in that capacity for the day, and the clerk was directed to deliver to him the books and papers belonging to the meeting, (with which he has since complied.) The application for the certificate was then minuted, and the other business of the Preparative Meeting acted on. And notwithstanding the strong evidence that was given at this as well as at many preceding meetings of the want of that unity which is so important and so necessary to be maintained in religious society, the queries were answered in the ordinary way with as little exception to *that on love and unity, as usual*. Thus withholding from superior meetings our real state. The Friends opposed to these proceedings were requested to remain after the adjournment. Then ensued a scene which was to us painful in the extreme. Those Friends who wished quietly to remain, in order to take into consideration what might appear proper in this extraordinary state of things, were subjected to much unfriendly treatment, and an attempt was made to take forcible possession of the books and papers belonging to the meeting. It is a lamentable truth, and one which cannot be concealed, that the ancient practice of our society of being governed in our decisions by the solid sense and religious weight of the meeting, has in many instances of

latter time, been widely departed from; when new and important measures have come before our meeting, instead of that *condescension* which has heretofore secured harmony, they have, under the influence of much excitement, been hurried through the meeting by a majority of voices. Many, it is apprehended, who have never come under the sanctifying power of truth, take a very active part in the deliberations of our meetings, and by this means, measures are frequently carried that are calculated to sap the foundation of our society, in opposition to the judgment of those to whom the order and principles of it are dear.

Suffering, as we do, from the foregoing causes, we are induced to ask the assistance of the Monthly Meeting, and respectfully propose that an application be made to the Quarterly Meeting for their counsel and assistance in healing the many and sorrowful causes of disunion that prevail among us as a society.

Signed on behalf of Friends assembled on the occasion.

THOMAS HAUXHURST,
SAMUEL WOOD,
WM. F. MOTT,
JOHN R. WILLIS.

New York, 1st of Tenth-month, 1827.

Page 329. Exhibit No. 46. Minute of Meeting for Sufferings, produced by William Evans.

[A.]

Sufferings at Philadelphia the 20th of Twelfth-month, 1823,

by son
1. 1823.

having been published, and also repeated to us, as though it were on behalf of the Society, which affects the principle of some of those pieces being brought forward as a matter of such importance as to require the whole into solid consideration, and

their being thereon to our next meeting; and John Cox, Jonathan Evans, Samuel P. Griffiths, John Comly, Samuel Bettle, Thomas Wistar, and Thomas Stewardson, are accordingly appointed thereto."

At a Meeting for Sufferings, held in Philadelphia the 17th of First-month, 1823, present forty-three members—

The committee under appointment, having given deliberate attention to the important subjects confided to them at our last meeting, produced an essay of what appeared to them as useful and expedient respecting some of our principles and doctrines, the further consideration whereof, is referred to be taken up at our adjournment, which is agreed to be at 3 o'clock this afternoon.

About which time Friends again met.

On renewed consideration of the business before us in the forenoon sitting, the following was, with unity and harmony, approved; and it is directed that a copy be made and forwarded to the printer at Wilmington, desiring him to annex it to the work which we understand is to contain the whole of those pieces, viz:

A controversy having, for a considerable time past, been carried on in a paper printed at Wilmington, [Del.] styled the Christian Repository, between a person who addresses his essays to the Society of Friends, and another who, in replying thereto, might by some be thought to write on behalf of the society, or by its countenance; we think it right to declare, that we have no knowledge whatever of this author, and entirely disavow any connexion with him in this business; and desire that our religious society may not be considered as accountable for the sentiments contained in those publications. Our profession and doctrines which we have always held, and at different times published to the world, are founded upon the principles of the Christian religion, as contained in the Holy Scriptures, as may be seen in a number of our writings already extant.

Signed on behalf and by direction of a meeting of the representatives of the reformed Society of Friends in Pennsylvania, New Jersey, Delaware, and the eastern part of Maryland, held in Philadelphia the 17th of First-month, 1823.

JONATHAN EVANS, Clerk.

On attending to the further part of the essay which the committee produced, containing a few brief extracts from the writings of our primitive Friends, on several of the doctrines of the Christian religion which have been always held, and are most surely believed by us; upon solid consideration, they appeared so likely to be productive of benefit, if a publication thereof was made and spread among our members generally, that the committee on the printing and distribution of religious books, are directed to have a sufficient number of them struck off and distributed accordingly—being as follows, viz.—[See p. 329.]

Page 331. Exhibit No. 47. Minute of Meeting for Sufferings; produced by William Evans.

[B.]

At a Meeting for Sufferings, held in Philadelphia the 15th of Twelfth-month, 1826, present forty-two members—

The southern Quarterly Meeting having taken into consideration an entire revision of their representation in this meeting, and in Eighth-month last made an almost total change therein; as the subject was quite unprecedented, and it appearing that such a measure was not contemplated by the discipline, the whole matter was committed to a number of Friends at our last meeting, who, after deliberate consideration, produced the following report, viz:

“The committee appointed to consider the minute received from the Southern Quarterly Meeting report, that upon consideration, difficulties to the accepting the said minute had occurred; and it was unitedly agreed to suggest, for the consideration of the Meeting for Sufferings, whether it would not be expedient, and tend to the harmonious resulting of the subject, to appoint a committee to confer with the Quarterly Meeting, or a committee thereof, if such should be appointed.”

In accordance with this, the following Friends are appointed, viz: John Cox, Samuel Bettle, Thomas Wistar, William Newbold, John Tatum.

At a Meeting for Sufferings, held in Philadelphia the 19th of First-month, 1827, present thirty-one members—

John Cooke and Philip Price are added to the committee appointed at our last meeting, to attend the southern Quarterly Meeting.

At a Meeting for Sufferings, held in Philadelphia the 16th of Third-month, 1827, present forty-five members—

The committee appointed to attend the southern Quarterly Meeting, presented the following report, viz:

To the Meeting for Sufferings.

The committee appointed to confer with the southern Quarterly Meeting, respecting the difficulties the Meeting for Sufferings have experienced, in consequence of their minute of Eighth-month last, report,—That, believing a personal conference would afford the best opportunity of entering into a full examination and mutual understanding of the subject, three of our number proceeded to Little Creek, and attended that Quarterly Meeting with the minute of our appointment. The committee assured the Quarterly Meeting, that the Meeting for Sufferings did not assume the privilege of interfering with the appointment of representatives—the right of the Quarterly Meeting to select such Friends as they might deem suitable for the service, and also to fill all vacancies that might from time to time occur, was not questioned. The Meeting for Sufferings never had attempted to interfere on this subject: the difficulty that presented on the present occasion, arose from a belief that no vacancy had occurred. The discipline establishing the Meeting for Sufferings, directs that twelve Friends shall be appointed by the Yearly Meeting, and four out of each of the Quarters; the only cases which constitute a vacancy and which call for reappointment, are death, resignation, or neglect of attendance; and the uniform practice of society, for seventy-years, has been in accordance with the discipline, which could only be altered by the Yearly Meeting; for we apprehended it must appear manifest, that some fixed general rule was indispensable, or otherwise each of the Quarterly Meetings might change the discipline or practice, as from time to time circumstances might induce them to think a change desirable: hence, great variety, and even contrary and opposing practice, might

exist in the different Quarters; and hence perplexity and uncertainty in the Meeting offerings. That no change in the rule of society on the subject, could be made by the Yearly Meeting, seems to be the general sense of Friends, and two years ago they considered the expediency of all appointments being for a limited time, brought up by one of the Quarters, and on consideration, the Yearly Meeting did not open to make the proposed change. The Meeting, therefore, adhering to the present discipline, the uniform practice of the Yearly Meeting on this very point, felt great regret at a minute which appears to be in contravention of all past proceedings and rules, but desirous of avoiding any collision with a Quarterly Meeting, they were informed that we were appointed, if they should think proper to separate a committee for the purpose, to enter into a full consideration of the whole subject, with a hope that such a conference might result in some conclusion which would be to mutual satisfaction. The Quarterly Meeting, however, declined appointing a committee, or in any way explaining their views of the subject.

[Signed,]

JOHN COX,
PHILIP PRICE,
THOMAS WISTAR,
JOHN TATUM,

WILLIAM NEWBOLD,
JOHN COOKE,
SAMUEL BETTLE.

Third-month 15th, 1827.

Page 331. *Exhibit No. 48. Minute of Yearly Meeting of Ministers and Elders, produced by William Evans.*

[C.]

At a Yearly Meeting of ministers and elders, held in Philadelphia by adjournments, from the 14th of Fourth-month to the 18th of the same inclusive, 1827—

Having proceeded in the consideration of answers to the queries, as far as the 2nd inclusive, and the meeting being brought to a close, an exercise respecting the ministry, it was, after solid consideration, concluded to appoint a committee to visit, as may open, the several Quarterly and Preparative Meetings of ministers and elders, and through the strength which may be vouchsafed by the blessed Head of the Church, to extend such advice and assistance as may conduce to the health of the body, and the benefit of the individual members, to which service the following Friends are named, viz Samuel Bettle, William Jackson, Jonathan Evans, Thomas Wistar, Huchman Haines, William Newbold, Joseph Whitall, William Allinson, Sarah Cresson, Jane Bettle, Hannah Whitall, Elizabeth Reeve, Mary Wistar, Elizabeth Allinson, Mary Morton. And the said Quarterly and Preparative Meetings are desired to accommodate this committee in such manner and at such times, as may aid them in the fulfilment of the duty devolved upon them.

2nd Answer. A belief is expressed, that ministers are generally sound in word and doctrine, and that they are careful their ministry may be in the ability queried after. One Quarterly Meeting reports, that one of its branches has stated that much pain and exercise have been experienced on account of persons coming among them, promulgating sentiments or doctrines, tending to lay waste a belief in our Lord and Saviour Jesus Christ, and the same Quarterly Meeting adds, that unsoundness in the ministry exists among them.

Page 373. *Exhibit No. 54. Minutes of a Meeting for Sufferings respecting Southern Quarter; produced by Thomas Evans.*

At a Meeting for Sufferings, held in Philadelphia, the 2nd of Eighth-month, 1823

The Southern Quarterly Meeting having requested the advice of this meeting, on a subject interesting to them, a committee was verbally appointed some months since to examine the same, who after mature deliberation made the following report, which is approved, and it is directed that the Southern Quarter be furnished with a copy thereof, and of this conclusion, viz

To the Meeting for Sufferings.

The committee named to attend to the request from the Southern Quarter, reports, that, in Eighth-month, 1800, an attempt was made by the Southern Quarterly Meeting to establish a boarding school for the guarded education of their youth—for this purpose funds were raised, a house rented, and the school opened; but having failed in supporting the school it was discontinued; and the Quarterly Meeting now ask of the Meeting for Sufferings, the privilege of applying the small balance of that fund, remaining in their hands, towards the education of the children of Friends within their Quarter, who are in indigent circumstances. The committee on considering the case, believe that such application of the balance of the funds as is asked for, would be consistent with the design of Friends of that Quarterly Meeting, and therefore propose that their request be complied with.

SAMUEL POWELL GRIFFITTS,
THOMAS STEWARDSON,
CALEB PEIRCE.

Philadelphia, Twelfth-month 11th, 1822.

Page 377 to 385. Exhibits Nos. 55 to 78 inclusive, and marked alphabetically; produced by Thomas Evans.

[A.]

First Letter—Elders to Elias Hicks.

“TO ELIAS HICKS,

“Friends in Philadelphia having for a considerable time past heard of thy holding and promulgating doctrines, different from, and repugnant to, those held by our religious society, it was cause of uneasiness and deep concern to them; as their sincere regard and engagement for the promotion of the cause of truth, made it very desirable to them that all the members of our religious society should move in true harmony under the leadings and direction of our blessed Redeemer. Upon being informed of thy sentiments expressed to Joseph Whitall, that Christ was not the Son of God until after the baptism of John and the descent of the Holy Ghost, and that he was no more than a man: that the same power that made Christ a christian must make us christians, and that the same power that saved him must save us;—many Friends were much affected therewith. And some time afterward, several Friends being together in this city on subjects relating to our religious society, they received an account from Ezra Comfort of some of thy expressions in the public general meeting, immediately succeeding the Southern Quarterly Meeting, lately held in the state of Delaware, which was also confirmed by his companion Isaiah Bell. On hearing which, it appeared to Friends a subject of so great importance, and of such deep interest to the welfare of our religious society, as to require an early extension of care, in order that if any incorrect statement had been made, it should as soon as possible be rectified, or if true, that thou mightest be possessed of the painful concern of Friends, and their sense and judgment thereon. Two of the elders accordingly waited on thee on the evening of the day of thy arrival in the city, and although thou denied the statement, yet thy declining to meet those two elders in company with those who made it, left the minds of Friends without relief. One of the elders who had called on thee, repeated his visit on the next day but one, and again requested thee to see the two elders and the Friends who had made the above statement, which thou again declined. The elders from the different Monthly Meetings in the city, were then convened and requested an interview with thee, which thou also refused; yet next day consented to meet them at a time and place of thy own fixing. But when they assembled, a mixed company being collected, the elders could not in this manner enter into a business which they considered of a nature not to be investigated in any other way than in a select private opportunity. They therefore considered that meeting a clear indication of thy continuing to decline to meet the elders, as they proposed. Under these circumstances, it appearing that thou art not willing to hear and disprove the charges brought against thee, we feel it a duty to declare that

we cannot have religious unity with thy conduct, nor with the doctrines thou art charged with promulgating.

CALEB PEIRCE,
THOMAS STEWARDSON,
SAMUEL POWELL GRIFFITTS,
EDWARD RANDOLPH,
ISRAEL MAULE,

ELLIS YARNALL,
RICHARD HUMPHREYS,
THOMAS WISTAR,
LEONARD SNOWDON,
JOSEPH SCATTERGOOD."

Philadelphia, Twelfth-month 19th, 1822.

[B.]

Second Letter—Elders to Elias Hicks.

"PHILADELPHIA, FIRST-MONTH 4TH, 1823.

"To ELIAS HICKS,

"On the perusal of thy letter of the 21st of last month, it was not a little affecting to observe the same disposition still prevalent, that avoided a select meeting with the elders; which meeting, consistently with the station we are placed in, and with the sense of duty impressive upon us, we were engaged to propose and urge to thee as a means whereby the cause of uneasiness might have been investigated, the Friends who exhibited the complaint fully examined, and the whole business placed in a clear point of view. On a subject of such importance, the most explicit candour and ingenuoussness, with a readiness to hear and to give complete satisfaction, ought ever to be maintained: this the gospel teaches, and the nature of the case imperiously demands it. As to the certificate which accompanies the same, it is in several respects ambiguous, and in others, though in different terms, it corroborates the first made. When we take a view of the whole subject, the doctrines which have been promulgated by thee, though under some caution, while in an interview between Ezra Combs and the opinions which thou expressed on the 19th ultimo, we are fully and sorrowfully confirmed in the conclusion, that thou holds and art disseminating principles very different from those which are held and maintained by our religious society. As thou hast on thy part closed the door against the brotherly care and endeavours of the elders here, for thy benefit and the clearing of our religious profession, this matter appears to be of such serious magnitude, so interesting to the peace, harmony, and well-being of society, that we think it ought to claim the weighty attention of thy friends at home.

(Signed,)

CALEB PEIRCE,
SAMUEL P. GRIFFITTS,
THOMAS STEWARDSON,
EDWARD RANDOLPH,
ISRAEL MAULE,

ELLIS YARNALL,
THOMAS WISTAR,
LEONARD SNOWDON,
JOSEPH SCATTERGOOD."

"Being present when the foregoing letter was concluded on, I unite with the concern and care of my brethren, the elders of this city, that our religious society might not lie under the imputation of holding doctrines which do not accord with the testimony of the holy scriptures.

(Signed,)

JONATHAN EVANS."

[C.]

Minute of Preparative Meeting.

"At a Preparative Meeting of ministers and elders, members of the Monthly Meeting of Friends of Green street, Philadelphia, held 10th of Fourth-month, 1823."

"This meeting requests the aid of the Quarterly Meeting of ministers and a case of difficulty.

"Copied from the minutes,

JOSEPH SCATTERGOOD, C

[D.]

Minutes of Quarterly Meeting.

"At a Quarterly meeting of ministers and elders, held in Philadelphia, the 3d of the Fifth-month, 1823.

"The Preparative meeting at Green street, requests the aid of the Quarterly meeting in a case of difficulty, which, after weighty deliberation, is referred for further consideration at our next meeting."

2nd of Eighth-month, 1823.

"The request from the Preparative meeting at Green street, for the aid of this meeting in a case of difficulty, coming again under consideration, the following Friends are appointed to sit with the members of that meeting, and endeavour to dip into their state, and extend such brotherly aid and advice as they may be qualified for, viz: Ellis Yarnall, Samuel Bettle, Stephen Stephens, James Cockburn, Joseph Gibbons, Mary Morton, Hannah Elliott, Hannah Evans, Hannah Lewis, and Jane Bettle."

1st of Eleventh-month, 1823.

"The committee appointed at the request of Green street Preparative meeting, have given attention to the subject of their appointment, but believing further time needful, they are continued."

31st of First-month, 1824.

"The committee appointed at the request of Green street Preparative meeting, have given renewed attention to the subject, and are further continued."

1st of Fifth-month, 1824.

"The committee appointed at the request of Green street Preparative meeting, are further continued."

31st of Seventh-month, 1824.

"The committee appointed at the request of Green street Preparative meeting, having given further attention to the subject, are continued."

[E.]

Report of Committee.

To the Quarterly meeting of ministers and elders:—

The committee appointed on the application of Green street Preparative meeting, for assistance in a case of difficulty, having given attention to the subject, find, that some of the members of the Preparative meeting, were dissatisfied with the conduct of two of their elders, (one of whom is since deceased,) in a case which had claimed their care, and in which they alleged, they had acted consistent with what they believed, in the station in which they stood, their duty required. Considerable time elapsed before the committee could obtain so full a disclosure of all the circumstances connected with the case, as would enable them to come to a judgment, and furnish such advice as might appear suited to the occasion. The committee were the more willing to continue patient attention to the subject, in the hope that time might assist in producing a more comfortable feeling amongst the members of that meeting, and with a sincere desire of embracing any opening, that might occur, of being useful, not only in relation to the particular cause of uneasiness, but in promoting the general prevalence of unity and gospel fellowship among those Friends, which appeared indispensably necessary for the due support of a religious meeting. Having at length obtained all the information they were likely to procure, the committee intended to furnish the next Preparative meeting with such advice as might appear adapted to the case, and comport with the object of their appointment; but in this stage of the business, Green street Monthly meeting interfered, and in a summary manner, acted in relation to the surviving Friend, in such way, that they consider him as not retaining his place in the Preparative meeting of ministers and elders. The committee think it right to state that although the real ground of unity and harmony continues to be painfully wanting

in that meeting, yet there does not appear any opening for further labour. Signed on behalf of the committee.

JOSEPH GIBBONS,
HANNAH LEWIS.

Tenth-month 30th, 1824.

[F.]

Minute of select Quarterly Meeting.

"To the Quarterly meeting.

"In Fourth-month, 1823, the select Preparative meeting at Green street in their report, requested the aid of this meeting in a case of difficulty; a committee was accordingly appointed, from whose report we are informed, 'that having given attention to the subject, find, that some of the members of the Preparative meeting were dissatisfied with the conduct of two of their elders, (one of whom is since deceased,) in a case which had claimed their care, and in which they alleged they had acted consistent with what they believed, in the strictest manner, their duty required. Having accordingly to procure, the committee intended to furnish the next Preparative meeting with advice as might appear adapted to the case and comport with the object of the same; but in this stage of the business, the Green street Monthly meeting intervened, and in a summary manner, acted in relation to the surviving Friend, in such way, that the committee consider him as not retaining his place in the Preparative meeting of ministers and elders.'

"As an inquiry into the propriety of a monthly meeting, is the province of the Quarterly meeting for discipline, and we believe it proper to take the subject to that meeting for its care and consideration."

"The clerk is directed to prepare a minute to the Quarterly meeting and sign it on behalf of this meeting."

"Extracted from the minutes of the select Quarterly meeting of ministers and elders, held in Philadelphia, the 30th of Tenth-month, 1824."

THOMAS STEWARDSON, Clerk.

[G.]

Appeal of Leonard Snowden.

To the Quarterly Meeting of Philadelphia.

DEAR FRIENDS.—

From a sense of religious obligation to maintain our christian principles, and the salutary order of our religious society, more than from any personal consideration, I am induced to claim the notice of the Quarterly meeting; believing that the proceedings and judgment of the Monthly meeting of Green street, in regard to me, have been without rule or precedent.

I understand that on the 19th of Eighth-month last, a minute was made in the Monthly meeting, stating, that I am not in unity with that meeting—as no offence is specified, and as no committee, either of the Preparative or Monthly meeting has been appointed to speak to me, or to examine into the validity of the suggestions preferred against me, and as no opportunity has been afforded me either to justify my conduct, or if under any mistake, to receive that instruction and brotherly care, which the nature of christian communion clearly enjoins; the established order of our discipline has hereby not only been contravened, but my religious rights invaded, and my character as a member of society, and of the community at large, much affected, and my name handed down upon record to posterity, as having lost the unity of a society to which, during the course of a long life, I had hoped I was, in a good measure, united in christian fellowship.

Being thus virtually placed in the situation of a disowned person, I do not feel myself at full liberty to attend our meetings for discipline, or to exercise all the privileges of a member; the Monthly meeting having declined furnishing me with a copy of its minutes, and their proceedings having been so conducted, that I am considered as debarred the means of obtaining redress in the usual way; believing this to be a case unusual among us, and which, if permitted to pass without due notice and care, may

dangerous precedent, subversive of the peace and well being of our religious society, I therefore request the Quarterly meeting to give the subject that attention, which, I conceive, its importance demands.

From your friend,
LEONARD SNOWDON.

Philadelphia, Tenth-month 30th, 1824.

[H.]

Minutes of Philadelphia Quarterly Meeting.

“At a Quarterly meeting of Friends, held in Philadelphia, the 1st of Eleventh-month, 1824,

“The following communication from the Quarterly meeting of ministers and elders, being received and read, after considerable time occupied in discussing the subject, it was concluded to refer it for further attention to our next meeting, as also a written communication from our friend Leonard Snowdon.”

7th of Second-month, 1825.

“The communication from the Quarterly meeting of ministers and elders, as also that from our friend Leonard Snowdon, referred for attention at this, by our last Quarterly meeting, is referred for attention at our next Quarter, together with a minute from the Monthly meeting of Green street, having reference to the same subject.”

Minute of Green street Monthly Meeting, above referred to.

“At a Monthly meeting of Friends, held at Green street, Philadelphia, the 20th of First-month, 1825.

“This meeting being informed by our representatives to our last Quarterly meeting, that Leonard Snowdon had presented a remonstrance, appealing against the proceedings of Green street Monthly meeting—we inform the Quarterly meeting, that the said paper was presented without acquainting this meeting, and that Leonard Snowdon is not deprived of any of his rights as a member of our religious society.

“The foregoing is directed to be included in the extracts to be furnished to the Quarterly meeting.

“Extracted from the minutes.

“JOSEPH WARNER, *Clerk.*”

“At a Quarterly meeting of Friends, held in Philadelphia the second day of Fifth-month, 1825.

“After some time spent in consideration of the remonstrance of Leonard Snowdon, appealing against the proceedings of Green street Monthly meeting, the subject was deferred for further attention at our next meeting.

“The communication from the Quarterly meeting of ministers and elders, is also referred for the attention of our next meeting.”

1st of Eighth-month, 1825.

“The meeting having spent considerable time in consideration of the remonstrance and appeal of Leonard Snowdon, it was believed that through disqualification to proceed further in the business, it would be safest for the meeting to adjourn, leaving it, and the remaining business on the minutes of last Quarter, for the attention of our next meeting.”

7th day of Eleventh-month, 1825.

“The remonstrance and appeal of our friend Leonard Snowdon, being again under consideration, it was concluded to refer further attention to it, to our next Quarterly meeting.”

6th of Second-month, 1826.

“The remonstrance and appeal of our friend Leonard Snowdon, the communication from the [Quarterly] meeting of ministers and elders, with a minute from the Monthly meeting of Green street, of 20th of First-month, 1825, are severally referred for attention to our next meeting.”

1st of Fifth-month, 1826.

"The subjects deferred at our last meeting, being again brought under consideration, it was concluded to request advice and assistance of the Yearly meeting in a case of difficulty,—the following friends were appointed to give attention to the subject and furnish any papers or information that may be required, viz. Samuel Bettie, Jonathan Evans, Thomas Wistar, Abraham Lower, William Stevenson and Edward Edwards."

[I.]

Minute of the Quarterly Meeting.

7th day of Fifth-month, 1827.

"A minute of our late Yearly meeting was read as follows, and the subjects of difficulty alluded to therein are submitted to the following Friends for their deliberate examination and consideration, and they are requested to report their sense to our next Quarterly meeting, viz. Timothy Paxson, Daniel B. Smith, Thomas Kimber, Enoch Lewis, Thomas P. Cope, George Williams and Israel W. Morris."

"Copy of minute—At a Yearly meeting held in Philadelphia, by adjournments from the 16th of Fourth-month to the 21st of the same, inclusive, 1827."

"The request of Philadelphia Quarter, for assistance in a case of difficulty, being brought into view, it was concluded that the subject be returned to that Quarter, the meeting not being prepared to act thereon."

"Extracted from the minutes."

"SAMUEL BETTIE, Clerk."

[J.]

Report of Committee.

"At a Quarterly meeting held in Philadelphia the 7th of Eighth-month, 1827,

"The following report from the committee appointed to the service, was read and approved, viz.

"The committee appointed in Fifth-month last, in relation to a subject of difficulty which has at several times engaged the attention of the Quarterly meeting, agree to report,—That we have carefully inspected the documents connected with the subjects referred to us, and are united in the judgment that the proceedings of the Quarterly meeting of ministers and elders, in regard to Green street Preparative meeting of ministers and elders, and its communication to the Quarterly meeting, were in strict accordance with the discipline and established usages of the society. That the conduct of the late Monthly meeting of Green street, in the summary removal of Leonard Snowden from the station of elder, was inconsistent with the salutary provisions of the discipline, and that no ground has been discovered by us for the general and undefined charge made against him of disunity and want of qualification for the station he held. The conclusion, however, of last Quarter, in respect to that meeting, has, in our judgment, rendered any further proceedings in the case unnecessary—which we submit to the Quarterly meeting.

Signed,

TIMOTHY PAXSON,
DANIEL B. SMITH,
THOMAS KIMBER,
ENOCH LEWIS,
THOMAS P. COPE,
GEORGE WILLIAMS,
ISRAEL W. MORRIS."

11th of Seventh-month, 1827

[K.]

Remonstrance of Ann Scattergood and Mary Taylor.

To the Monthly Meeting of Friends held at Green street, Philadelphia.

DEAR FRIENDS,

In requesting your attention to the following communication, we are actuated by no personal considerations, but by a sincere concern that the discipline and hitherto uniform practice of our religious society may be steadily maintained:—

At the Monthly meeting in Sixth-month last, a committee of men and women Friends was verbally appointed, professedly to consider the relative standing of the elders with the Monthly meeting. In Eighth-month, a memorandum without any signature was produced to the meeting by the committee, stating nothing about the relative standing of Friends in the station of elders, but that it was their sense, that the services of Mary Taylor and Ann Scattergood, as elders of the meeting, had ceased. The substance of this memorandum was adopted and minuted by the men's meeting, and the paper sent into the women's, by two men Friends, who continued there during the whole of the discussion, and one of them took considerable part in it. Much difference of sentiment appeared in the women's meeting, and at length the subject was so far closed, that a minute was made, embracing the above mentioned memorandum, and also stating that *many Friends* united with it, and men Friends having come to the same judgment, we were accordingly released from the station of elders.

We think it due to the Monthly meeting to inform it, that the committee above referred to, have never communicated with us in any way, nor given us the least intimation that it was their intention to bring us before the Monthly meeting in this unauthorized and summary manner.—When either a minister or an elder is thought to have lost his or her services, our discipline by a specific rule, has very particularly pointed out the course to be pursued in treating with them for their restoration; from which it clearly appears, that tender gospel labour is to be extended to the party by the Preparative and Quarterly meetings of ministers and elders, before the case can regularly come into the Monthly meeting for discipline. This, we believe, has been the uniform practice of the society, and as this course has not been pursued towards us, we cannot but believe that our christian discipline, as well as the long established usage of Friends, have been violated and our religious rights infringed. We therefore respectfully request the Monthly meeting to annul its proceedings in the case, and to expunge it from the minutes, thus they will release us from the unpleasant duty of making a representation of our case to a superior meeting.

We are respectfully your friends,

MARY TAYLOR,
ANN SCATTERGOOD.

Philadelphia, 20th of Ninth-month, 1826.

[L.]

Notice to the Monthly Meeting.

To the Monthly Meeting of Friends held at Green street, Philadelphia.

Believing ourselves aggrieved by the judgment of the Monthly meeting in Eighth-month last, we intend appealing therefrom to the Quarterly meeting, and request a copy of your minute in our case.

MARY TAYLOR,
ANN SCATTERGOOD.

Philadelphia, 18th of Tenth-month, 1826.

[M.]

Appeal to the Quarterly Meeting.

To the Quarterly Meeting of Friends of Philadelphia.

“DEAR FRIENDS,

“Feeling ourselves aggrieved by the conduct of the Monthly meeting held at Green street, which in an extraordinary and summary manner has proceeded against us, without ever visiting us, or really knowing any thing of our circumstance; we were induced to apply to them for that relief, which, upon an impartial, unprejudiced consideration, we conceived ought to be granted. But they continuing to disregard our reasonable solicitation, we are constrained for the cause sake, and for the preservation of the order and discipline established among us, to make our appeal to the Quarterly meeting, requesting its attention and interference, that so our situation may be duly

investigated, and the just rights of the members maintained upon that solid basis which has ever distinguished our religious society.

"With sincere regard we are your friends,

MARY TAYLOR,
ANN SCATTERGOOD.

Philadelphia, Eleventh-month 4th, 1826.

[N.]

Minute appointing a Committee.

"At a Quarterly meeting held in Philadelphia the sixth and seventh days of Eleventh-month, 1826,

"A communication in writing received from Mary Taylor and Ann Scattergood was read, in which they state, that they feel themselves aggrieved by the conduct of Green street Monthly meeting, in the manner it has proceeded against them. On consideration, the following Friends were appointed to investigate the case, and report their sense to our next Quarterly meeting, viz: George Williams, Thomas P. Cope, Isaac Davis, John Paul, Charles Allen, Jonathan Evans, Ellis Yarnall, Joseph M. Paul, and W. Morris, Samuel Garrigues, Ellis Lee, John Lee and Jacob Clayton."

[O.]

Report of the Committee.

"At a Quarterly meeting held in Philadelphia the fifth and sixth days of Second-month, 1827,

"A report as follows was read and considered: Green street Monthly meeting with a copy of this minute. Samuel Betts, Mary Taylor and Ann Scattergood of this conclusion.

"The committee appointed on the subject, having heard their statements, and examined the minutes of Green street Monthly meeting, and carefully inspected the discipline on the subject, we are of the judgment that the proceedings of that Monthly meeting, in the cases of those two Friends, have not been in conformity with the salutary order prescribed by the rules of our discipline, and ought therefore to be annulled.

(Signed,)

ISRAEL W. MORRIS,
ELLIS LEE,
JOHN LEE,
JACOB CLAYTON,
GEORGE WILLIAMS,
THOMAS P. COPE,

ISAAC DAVIS,
JOHN PAUL,
CHARLES ALLEN,
JONATHAN EVANS,
ELLIS YARNALL,
JOSEPH M. PAUL."

Eleventh-month 17th, 1826.

[P.]

Minutes of Bucks and Abington Quarterly Meetings.

"At Bucks Quarterly meeting held at Wrightstown the 22nd of Second-month, 1827.

"Buckingham Monthly meeting in their report add, that they had agreed to forward to the Quarterly meeting a proposition to take into consideration that part of our discipline relative to the Meeting for Sufferings, and if it may be thought right to continue said meeting, that the appointment of its members may be exclusively confined to the Quarterly meetings, and subject to their removal. And also to take into consideration that part of our discipline relative to the appointment of elders, in order, if way should open, that Monthly meetings shall have authority to remove them whenever it may appear their service in that station has ceased to promote the best interests of society. And after a time of deliberation thereon, and the expression of the sentiments of many Friends, it is concluded to forward the subject to the Yearly meeting for its consideration and judgment.

"Extracted from the minutes.

"JOHN WATSON, Clerk"

[Q.]

“Abington Quarterly meeting held the 8th of Second-month, 1827.

“Abington [Monthly meeting] in their report further add, that some Friends expressing a belief that a benefit would be derived to society by reconsidering that part of our discipline, relative to the appointment of elders and members of the Meeting for Sufferings, that such appointments be made for a limited time; which claiming the attention of this meeting, and some time being spent thereon, it was agreed to forward the same to the Yearly meeting for its deliberation and decision.

“Extracted from the minutes of the aforesaid meeting.

“ASA WALMSLEY, Clerk.”

[R.]

Minute of the Quarterly Meeting.

“At a Quarterly meeting held in Philadelphia the sixth and seventh days of the Eleventh-month, 1826.

“Our women Friends informed us, that they had under consideration the propriety of appointing a committee to visit some of the Monthly meetings constituting this Quarterly meeting, and submitted it to this meeting, in order that if united with, it may appoint a committee to unite with one from the women’s meeting, in performing the service. After some time passed in deliberation, the following Friends were appointed viz: Jonathan Evans, Peter Thompson.

“Adjourned to 9 o’clock to-morrow morning.

“About the time adjourned to, Friends again assembled. On resuming the consideration of appointing a committee to visit some of the Monthly meetings, Henry Cope, William Wharton, Thomas Wistar and Samuel Noble, were added to the two Friends previously appointed on the committee.”

[S.]

Minute of Green street Monthly Meeting.

“At a Monthly meeting of Friends held at Green street, Philadelphia, the 26th of Fourth-month, 1827.

“The subject of our peculiarly trying situation, as regards the connexion that now exists between the Monthly meeting of Friends held at Green street, Philadelphia, and Philadelphia Quarterly meeting, of which we are a constituent branch, being brought into view, and it being believed that more harmony will be produced by dissolving said connexion, and forming a component part of some other Quarterly meeting belonging to our Yearly meeting; it was, after some time spent thereon, concluded, to dissolve our connexion with Philadelphia Quarterly meeting as a constituent branch thereof, and it is accordingly hereby dissolved. Samuel Williams and William Stevenson are appointed to attend Philadelphia Quarterly meeting with a copy of this minute, in order that they may be informed thereof.

“Extracted from the minutes.

“JOSEPH WARNER, Clerk.”

[T.]

Communication to Philadelphia Quarterly Meeting.

To the Quarterly Meeting of Friends of Philadelphia.

“DEAR FRIENDS,

“The undersigned, members of Green street Monthly meeting, having with deep concern noticed the late unexampled proceedings of our meeting, in attempting to dissolve its connexion with our Quarterly meeting, and proposing to attach itself to Abington Quarterly meeting;—against these unwarrantable proceedings a number of

our members expressed their decided disapprobation, without effect. We therefore believe it our duty to represent our situation to the Quarterly meeting, trusting that our christian principles and the discipline of our religious society will be maintained, and we relieved from the painful situation in which we are now placed. We are yet friends."

SIGNED BY 15 MEN FRIENDS.

Philadelphia, Fifth-month 5th, 1827.

[U.]

Report of Committee to the Quarterly Meeting.

"At a Quarterly meeting held in Philadelphia the 7th day of Fifth-month, 1827.

"A report in writing, as follows, was received from the committee appointed Eleventh-month last, to visit some of the Monthly meetings within the limits of the Quarterly meeting, viz:

To the Quarterly Meeting.

"The committee appointed to visit the Monthly meetings report, that nearly all of our number have attended all the Monthly meetings in the city, as they came in course since our appointment to this service, and although at times we were sensible of the need of more weight and depth in the administration of the christian discipline established among us, yet it was cause of real satisfaction, to perceive and feel that there is in four of them an increase of fervent concern and travail for the support of our religious principles and testimonies, on the foundation of pure, unchangeable truth. Some of us also attended the Monthly meeting held at Radnor, and from the sense which clothed our minds at that time and since, we are of the judgment that the low, weak state of that meeting requires the continued close attention of the Quarterly meeting. The Monthly meeting held at Green street has, from our first attending it, been a source of painful exercise and sorrow—the want of solid religious qualification to transact the business consistently, with the order and design, which in the institution of the church of Christ is often felt to be of awful responsibility, has been lamentably conspicuous. Upon their receiving the minute of the Quarterly meeting annulling the proceedings in the cases of Mary Taylor and Ann Scattergood, they took no notice of it on their minutes, and much contumely and severe reflection was cast on the Quarterly meeting; its authority denied, and open declarations made of their own independent and irresponsible state, and a verbal nomination was then made of a number of their members, to consider what might be eligible for them to do in their present situation.

"At the next Monthly meeting, in Third-month, a very large document, consisting of several sheets, without date and without signature, was produced and read, setting forth, under the fallacious guise of a declaration of grievances, a great many high and reproachful charges against the Quarterly meeting for discipline and the Quarterly meeting of ministers and elders. and this irregular, unauthorized instrument was, without being recognised on minute, placed under the direction of three of their members, who had been appointed in the Quarterly meeting on a special occasion, to be made such use of as the said committee might think proper. We endeavoured to show the impropriety and injustice of such proceedings, and that the Quarterly meeting ought certainly to know what had been preferred against it, before they thus exhibited to general notice a tissue of indecorous and unfounded accusations. Our labour was, however, not only disregarded, but we treated with marked contempt. In their Monthly meeting last month, the clerk stated that a number of Friends of that Monthly meeting had held a meeting to consider the present state of that meeting in relation to Philadelphia Quarterly meeting; and he had prepared a minute in conformity with what he understood to be the conclusion of those Friends. It was queried by one of our number, by what authority a minute of that nature, made out of doors, could be brought into and urged upon the meeting, as a conclusion of the Monthly meeting: they declared it was perfectly in order; and the clerk proceeded to read the said pre-determined anomalous minute. Having no copy of this minute, we can only state its purport from recollection, viz: in considering the present peculiar situation of Green street Monthly meeting, and believing that the harmony of the society would be promoted by dissolving the connexion of this meeting with Philadelphia Quarterly meeting as a constituent branch thereof, and attaching themselves to some other Quarterly meeting or Philadelphia Yearly meeting, after a time of deliberation, it was concluded that the said

minutes was read and publicly discussed, and Samuel Williams and William Stevenson were appointed to attend Philadelphia Quarterly meeting, and give a statement of this on Saturday. The clerk then read a letter read on their return, which had been agreed upon at the same time to accompany a resolution, which stated that the connection between Green Street Monthly meeting and Philadelphia Quarterly meeting having dissolved, it was agreed to appoint a committee to attend the next Philadelphia Quarterly meeting, to spread the case before them, and to request that meeting to receive this meeting as a dependent part of it, for which purpose William Stevenson, Edward Edwards, George Wadley, and Abraham Tower were appointed. Several of the members expressed their disapprobation of these proceedings, but their sentiments were disregarded, and the minutes accordingly adopted. Nearly all of us being present, we protested against these dissimular measures, and endeavours were used to show that they could not dissolve their connection with the Quarter without its consent and approbation, and that no meeting acting in this intermeddled manner could censure such of their members as believed themselves bound to adhere to the order of discipline, to submit to a disjunction from their proper and legitimate Quarterly meeting. But all our efforts appeared to be unavailing, and they went so far as to state that they had not recognised the committee of the Quarterly meeting, so as to consider them incorporated with the meeting, or having a right to take part in its deliberations. After the adoption of the aforesaid minutes, Samuel Noble said he would call the attention of the meeting to the situation of the select Preparative meeting, which stood adjourned until tomorrow morning, that the meeting could direct what steps should be taken. It was reported by one of the members, that the walls of the church should be suspended, and shew that the Monthly meeting had power to lay down at meeting whenever they pleased. Several of the members approving of the suspension, the clerk made a motion for suspending its sittings until further arrangements were made. After the men's meeting had thus far finished this business, the minutes then were taken into the women's meeting, and the exhortations of the women applied to them as to duty, and to order, and according to discipline. A number of the members appeared reluctant to accede to these measures, but many others approving of them, they were adopted, and afterwards, the clerk signifying that there was no more business, they withdrew from the house, leaving a considerable number of valuable friends, who could not feel easy to maintenance proceedings which tended to the subversion of all right order, and of the real well-being of our society. Having thus given a very brief view of some of the occurrences presented to our notice, though far short of many painful circumstances which have involved the minds in confusion and distress, we submit the whole to the Quarterly meeting, which, no doubt, will see the necessity of adopting efficient measures for the maintenance of the salutary order and discipline of the society, the strengthening the hands of faithful friends, and that many well-disposed persons may be preserved or recovered from the dangerous snare which are now artfully spread around them.

(Signed,)

JACOBUS L. VAN,
PETER THOMAS,
MARY H. MOUTON,
JANE PRINCE,
ANN SCOTTERHOOD,
ELIZABETH PITFIELD,
JANE HETTEL,

THOMAS WILKIN,
HENRY LEE,
MARY WILKIN,
ELIZABETH W. LEITCHES,
H. ROBERTSON,
ELIZABETH LEANS,
JANE MALLIN.

Philadelphia 14th, Dec.

[A]

Minute of Philadelphia Quarter, saying of the Green Street Monthly Meeting.

It appears by the foregoing report, as well as by our statement received from Green Street Monthly meeting, that, notwithstanding all the hindrances, it has not only been subordinated to the meeting, but rejected as such, and for other reasons as clearly manifested that the members are not in a capacity to transact the business of a Monthly meeting, and therefore conclude that the said Monthly meeting be dissolved, and that we have no more to do with the same, and that the said Green Street meeting be united to the Monthly meeting of Friends of Philadelphia, and the northern district, and the following Friends are appointed to unite with and assist the latter and

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meeting in such care and labour as may be requisite, viz: Thomas Stewardson [and others] and they are desired to inform the members of Green street meeting of this conclusion, and to request that they will deliver to them the books and papers of that meeting."

[W.]

Minute appointing a committee to inform the Quarterly Meeting of Abington of the laying down of Green street Monthly Meeting, &c

"At a Quarterly meeting held in Philadelphia the 7th of Fifth month, 1827

"Being regularly informed that Green street Monthly meeting has appeared several Friends to propose to Abington Quarterly meeting that it should form a component part of that meeting, the following Friends were appointed to attend that Quarterly meeting, to inform it that this meeting considers the members of Green street meeting as under its jurisdiction and care, and has accordingly dissolved that Monthly meeting, and has united the members of it to 'the Monthly meeting of Friends of Philadelphia for the northern district,' viz: Joseph M. Paul, Isaac Lloyd, John Paul, and Leech Lewis."

[X.]

Report of the Committee

"At a Quarterly meeting held in Philadelphia the 6th, and by adjournment on the 7th day of Eighth month, 1827

"A report in writing as follows, was received and read, viz:

"The committee appointed to attend Abington Quarter with the minute relative to Green street Monthly meeting, agree to report, that in pursuance of our appointment, we attended the Quarterly meeting of Abington; and upon the reading of the application from Green street, presented the minute with which we were entrusted, such minute was read, but not noticed, that we could discover, on the minutes of Abington Quarter. The committee entered into such explanations as the nature of the case and the duties of their appointment appeared to require, notwithstanding which, a motion was made by a Friend, who was called to the table for the purpose, expressing their acceptance of the Monthly meeting of Green street as a component part of that Quarter, the regular clerk declining to make such a minute. The application from Green street was then sent into the women's meeting, but without the minute of Philadelphia Quarter, what was done by women Friends we were not officially informed, as no message was received from them subsequent to the delivery of the application from Green street."

ISAAC LLOYD,
LEECH LEWIS,
JOHN PAUL,
JOSEPH M. PAUL

Eighth-month 7th, 1827

[Y.]

Report of Committee to inform Green street meeting of the proceedings of the Philadelphia Quarter, &c.

"The following report from the committee appointed to the service, was read, and the committee is continued to give such further attention as shall appear necessary, viz:

"The committee appointed to inform the members of Green street meeting of the conclusion of the Quarterly meeting, and to request them to deliver the books and papers of that meeting, and also to unite with and assist the Monthly meeting of Philadelphia for the northern district in extending such care and labour as might be requisite, report, that soon after our appointment, most of our number attended the meeting at Green street, and informed the members thereof of the conclusion of the Quarterly meeting in respect to that meeting, and requested the delivery of the books and papers; they also requested the Friend who had acted as clerk to deliver the books and papers in his possession to the committee, which he declined doing. It appeared manifest that

The spirit of insubordination still existed in most of the members of that meeting, as they persisted in holding what they called a Monthly meeting, informing the committee that they had applied and had been accepted as members of another Quarterly meeting, in which they considered themselves only accountable. They have likewise since that time held two other similar meetings. The committee have also given attention to the other part of their appointment in assisting the Monthly meeting of the northern district in such care as appeared requisite; but that service does not yet seem to them to be fully completed.

"On behalf of the committee,

CAROL PRINCE,
JAMES LEON,
JANE JOHNSON,
ANNA BOWMAN."

Fourth-month 24th, 1827.

Page 383 Exhibit To. Statement of Joseph Whitall, produced by Thomas Evans

[A.]

Having attended the last Yearly meeting at New York, [held Fifth-month, 1827.] I heard Elias Hicks declare in public testimony, in a large meeting at the north house, "the same power that made Christ a christian must make us christians, and the same power that saved him must save us." Being very uneasy with this doctrine, I took a private opportunity to state to him my uneasiness. I informed him, that for several years reports had been in circulation unfavourable to him, and that on those occasions I had vindicated his character, from a belief that he must have been misunderstood, until last fall I met with a piece in writing said to be from his pen, in which he called Christ the Jewish Messiah, that he was only the Saviour of the Jews; and that he was not the Son of God, until after the baptism of John, and the descent of the Holy Ghost. On these points I offered my objections as unscriptural, but he justified them. He also declared, that he considered it a matter of the greatest encouragement to believe that Christ was no more than a man, for if he was any thing more, it would destroy the effect of his example. He admitted that he had not until latter time, held up the doctrine, that Christ was liable to fall like other men. When I quoted the testimony of John, that "the Word was made," or took "flesh," he said it was impossible. I offered my testimony, that if he persisted in preaching these doctrines, so contrary to the scriptures, and the testimonies of our ancient friends, it would produce one of the greatest schisms that had ever happened. He allowed it would produce a schism, but would soon be over, for he believed his doctrine must and would prevail. Seeing that we differed so widely in sentiment on these points, I proposed to him to form a few solid friends, ministers and elders, convened, that a discussion might be had, but he would not consent thereto, saying he was so confirmed in his sentiments, that he should persevere therein let the consequences be what they might.

(Signed,)

JOSEPH WHITALL.

Page 385 Exhibit B. Statement of Ezra Comfort and Sarah Bell, of the language used by Elias Hicks at the southern Quarter, produced by Thomas Evans

[B.]

"Jesus Christ was the first man that introduced the gospel dispensation. The Jews being under an outward ceremonial law or dispensation, it was necessary there should be some outward rites, as healing the outward infirmities of the flesh, and raising the outward dead, &c. in order to introduce the gospel dispensation; but he had no more power given him than man, for he was no more than man. He had nothing to do with healing the soul, for that belongs to God only. Hence he was the same power to raise the dead." He then stated, that "man, by being obedient to the will of God in him, could arrive at as great or greater degrees of righteousness, than Jesus Christ did," then endeavoured to show how, by righteous acts, man was to ar-

nive at it, for being innocent was not being righteous. Then said, that "Jews thought it not robbery to be equal with God, neither do I think it robbery for me to be equal with God." Then endeavoured to shew, that "by attempting to take out of the mountain without hands, or the seed in man, it would make him a God; for that stone in man, he said, was the entire soul."

(Signed,)

ERRA COMFORT
ISAIAH BELL

Page 385. Exhibit B1. Letter of Elias Hicks to Philadelphia Friends, produced by Evans.

[C.]

Philadelphia, Twelfth-month 21st,

To Caleb Pomeroy, Samuel P. Griffiths, Thomas Stewardson, Edward Randolph, Amos, Elias Yarnall, Richard Humphreys, Thomas Wistar, Leonard Smith, Joseph Scott, &c.

"Having been charged by you of unsoundness in principle and doctrine, false reports spread among the people, in an unfriendly manner, and contrary to the order of our discipline, by Joseph Whitall, as stated in a letter from you, dated the 10th inst. and as these charges are not literally true, being founded in his own forced and per constructions of my words, I deny them, and as I do not consider myself indebted to him, nor to any other, for crimes laid to my charge, as being committed in the course of the sittings of our last Yearly meeting, as not any of my fellow members of that meeting discovered or noticed any such things, which I presume to be the case, as no individual has mentioned any such things to me, but contrary thereto, many of our valuable Friends, (who had heard some of those foul reports first promulgated by an individual in our city,) acknowledged the great satisfaction they had with my words and exercise in the course of that meeting, and were fully convinced that all the reports were false, and this view is fully confirmed by a certificate granted me by the Monthly and Quarterly meetings, of which I am a member, in which they expressed full unity with me, and which meetings were held a considerable time after our Yearly meeting, in the course of which, Joseph Whitall has presumed to charge me with unsoundness of doctrine, contrary to the sense of the Yearly, Quarterly, and Monthly meetings, of which I am a member, and to whom only I hold myself amenable for all conducted within their limits. The other charges against me, made by Erra Comfort as expressed in your letter, are in the general incorrect, as is proved by the same certificate. And, moreover, as Erra has departed from gospel order, in not mentioning his uneasiness to me, when present with me, and when I could have appealed to him of that meeting to have justified me, therefore I consider Erra Comfort to have acted disorderly and contrary to discipline, and these are the reasons which induced me to refuse a compliance with your requisitions, as considering them arbitrary and contrary to the established order of our society."

(Signed,)

ELIAS HICKS

Page 385. Exhibit No. 82. Statement of Robert Moore, Joseph Turner, and John Houlston; produced by Thomas Evans

[D.]

Philadelphia, Twelfth-month 21st, 1845

We, the undersigned, being occasionally in the city of Philadelphia, where the same was produced and handed to us, signed by ten of the citizens, elders of the Society of Friends, and directed to Elias Hicks, after perusing and deliberately considering the charges made therein against him, for holding and propagating doctrines inconsistent with our religious testimonies, and more especially those said by Erra Comfort and Isaiah Bell to be held forth at a meeting immediately succeeding the late Yearly

Quarterly meeting, and we being members of the southern Quarter, and present at the said meeting, are free to state for the satisfaction of the first mentioned Friends, and all others whom it may concern, that we apprehend the charges exhibited by the two Friends named are without substantial foundation: and in order to give a clear view, we think it best and proper here to transcribe the said charges exhibited and our understanding of them severally, viz:—"That Jesus Christ was the first man that introduced the gospel dispensation, the Jews being under an outward ceremonial law or dispensation, it was necessary there should be some outward miracles, as healing the outward infirmities of the flesh, and raising the outward dead bodies, in order to introduce the gospel dispensation," this in substance is correct;—"That he had no more power given him than man, for he was no more than man," this sentence is incorrect, as also that he had nothing to do with healing the soul, for that belonged to God only," is likewise incorrect;—and the next sentence, that "Elisha also had the same power to raise the dead," should be transposed thus, to give his expression, "by the same power it was that Elisha raised the dead." "That man by being obedient to the spirit of God in him, could arrive at as great or greater degrees of righteousness than Jesus Christ," this is incorrect. "That Jesus Christ thought it not robbery to be equal with God," with annexing the other part of the paragraph mentioned by the holy apostle, would be correct. "Neither do I think it robbery for man to be equal with God," is incorrect. Then endeavouring to show that by attending to that stone that was cut out of the mountain without hands, or the seed in man, it would make him equal with God," is incorrect. The sentence, "for that stone in man was the entire God," should stand thus, "that this stone or seed in man, had all the attributes of the divine nature that are in Christ and God." This statement and few necessary remarks, we make without comment, save only that we were then of opinion and still are, that the sentiments and doctrines held forth by our said friend, Elias Hicks, were agreeable to the opinions and doctrines held forth by George Fox, and our other worthy predecessors of his time.

(Signed,)

ROBERT MOORE,
JOSEPH TURNER,
JAMES G. ROWLAND.

Page 383. Exhibit No. 81. *Minute of Western Quarterly Meeting: produced by Thomas Evans.*

At the Western Quarterly meeting of Friends, held at London Grove the 20th day of Eighth month, 1759.

By frequent accounts heretofore received from Sadsbury Monthly meeting, it hath appeared that no regular account of the state of Hempfield meeting hath been had since this meeting was constituted, and though we understand that Friends belonging thereto have been frequently visited by appointment of Sadsbury Monthly meeting, yet the same deficiency still appears; wherefore that Monthly meeting doth now request the advice of this meeting, which is given thus,—That they pay those Friends a further visit in brotherly love, and inform them, that unless they, for the future, comply with the advice of Chester Quarterly meeting formerly given them, and return a regular account of the state of their meeting to the Monthly meeting of Sadsbury, agreeable with good order, the case must come under this meeting's notice, and Sadsbury Monthly meeting is to make report of their care to next Quarterly meeting."

19th of Eleventh-month, 1759.

"Sadsbury Monthly meeting report they have paid a visit to the Friends of Hempfield, according to direction, and that the case is at present under their care; and they are desired to answer thereto at next Quarter."

18th of Second month, 1760

"Sadsbury Monthly meeting mentions, that pursuant to the directions of this meeting, they have not been successful of visiting the Friends at Hempfield, which has not had the desired effect. This meeting, on deliberation of the circumstances, doth think it most prudent to rest (under the consideration of Friends, till next Quarter, upon what effect the care which has already been taken may have, and John Churchman, Thomas Carleton and Adam Kidd, and William Lewis, have signified some free-

dom to visit them in brotherly love, and they are to inform them of the lenity and care for their welfare which appears in this meeting on their account, and to make report to next Quarterly meeting what effect their visit may have."

19th of Fifth-month, 1760.

Three of the committee who were to visit Hempfield meeting complied therewith having the company of several other Friends, and made the following report, viz: "We, the subscribers, according to expectation given, have paid a visit to the Friends of Hempfield, they being mostly together, wherein we informed them of the care of the Quarterly meeting towards them, and endeavoured to show them the reason of being accountable to Sadsbury Monthly meeting, if they expected to be judged of the privilege of holding a meeting for worship, but could not prevail with them to give any other answer, than that they desired to hold their meetings as heretofore, and would by no means come under any obligation to make report to Sadsbury Monthly meeting, how the same was kept up and attended, or how love and unity subsisted among them,—the which is submitted, &c. this 22nd of Fourth month, 1760."

JOHN CHURCHMAN,
THOMAS CARLTON, SR.
ADAM RHOE

"Which being read here and considered, this meeting doth unanimously agree, that a meeting cannot be held to the reputation of truth among them whilst they continue in this disorderly disposition, after so much tenderness and care used towards them both by this and the Quarterly meeting at Concord for so many years, and that we appoint Swithin Chandler, William Lewis, John Smith, Isaac Jackson, Joseph Hines, Thomas Pimm and Caleb Kirk, to inform them thereof, and to let them also know that if they continue so obstinate after this as to hold meetings in contempt of their brethren, they will endanger their right to membership, and oblige Friends in a proper manner to disown such of them as endeavour to uphold a conduct so irregular and inconsistent with our principles, and make report in writing to our next Quarterly meeting."

18th of Eighth-month, 1760.

The committee on the affair of Hempfield made the following report "We, the subscribers, according to appointment, visited the Friends of Hempfield, and had an opportunity with them at their respective dwellings, read the Quarterly meeting minute to them, and after deliberating thereon, some of them, we believe, were careful of complying with the advice of Friends, others not being willing, in which latter disposition, we believe, they cannot hold a meeting to the reputation of society or the benefit; signed by five of the committee, the first and fourth named of them prevailed from attending,—which is left for a proof of their future conduct, and this meeting refers the notice of them to Sadsbury Monthly meeting."

17th of Eleventh month, 1760.

"The case of Hempfield is yet continued under care of Sadsbury Monthly meeting, the report from which now signifying that it is under their notice."

14th of Second-month, 1761.

"The case of Hempfield is referred for consideration till next Quarter."

18th of Fifth-month, 1761.

"As there is no report from Sadsbury Monthly meeting concerning the case of Hempfield, it is still continued."

17th of Eighth month, 1761.

"Sadsbury Monthly meeting also signifies, that by a report of a committee thereof the Friends of Hempfield do continue to hold meetings on First days, without rendering any account of the state of them, wherefore it is recommended to that Monthly meeting to deal in a prudent and regular manner with such of them as appear to be in a disorderly, obstinate or wrong disposition."

388-9. *Exhibit No. 81. Statement of numbers of the respective parties; produced by Thomas Evans.*

ment of the relative number of Friends and Hicksites in the following Quarterly Meetings.

delphia Quarterly meeting, with the exception of Exeter, which is not yet been heard from, and where the members are not very equal.....	Friends	3317
	Hicksites	2077
Quarterly meeting.....	Friends	952
	Hicksites	702
ngton Quarterly meeting.....	Friends	1188
	Hicksites	957
ldonfield Quarterly meeting.....	Friends	1097
	Hicksites	644
n Quarterly meeting.....	Friends	454
	Hicksites	1149
wsbury and Rahway Quarter.....	Friends	233
	Hicksites	614
	Neutrals	41

In Haddonfield Quarter there are 47 undecided persons not included in the above list.



**LIST OF ALL THE EXHIBITS MARKED AND CERTIFIED BY THE MASTER IN
THIS CAUSE.**

1. On the part of the Complainant, viz :

- A. Six Queries and answers of Elias Hicks.
- B. Overture for amicable settlement.
- C. Statement of facts, &c.
- D. Extracts from minutes of Yearly meeting, 1761.
- E. Address to Friends, &c. 10 pages.
- F. Epistle to Friends, &c. 12 pages.
- G. Extracts from Yearly meeting's minutes, 10 pages.
- H. Epistle from the Yearly meeting, &c. 10 pages.
- I. Extracts from minutes, &c. 7 pages.
- J. Epistle from Yearly meeting, &c. 6 pages.
- K. Extracts from minutes of Yearly meeting, 12 pages.
- L. Epistle from Yearly Meeting, &c. 11 pages.
- M. Extracts from minutes of Yearly meeting, 1830, 12 pages.
- N. Minute of Salem Quarterly meeting.
- O. Epistle of New York Yearly meeting, 1828.
- P. Epistle and extracts of Baltimore Yearly meeting, 1828.
- Q. Cockburn's Review.
- R. Gough's History, vol. iii.
- S. Letter,—elders to Ann Jones.
- T. Census of members.
- U. Minute of Darby Monthly meeting.
- V. Exposition of modern scepticism.
- W. Overture to trustees of Ancocus school.
- X. Statement of numbers of New York Yearly meeting.
- Y. Minute of New York Meeting for Sufferings.
- Z. Statement from New York Yearly meeting.
- A 2. Circular from the funeral committee.
- B 2. Report of New York Monthly meeting's committee.
- C 2. Proceedings of the Quarterly meeting.
- D 2. List of Chesterfield Preparative meeting.
- E 2. Minutes of do.
- F 2. Do. do.
- G 2. Do. do.
- H 2. Do. do.
- I 2. Do. do.
- K 2. List of original subscribers to school fund.
- L 2. Minutes of Chesterfield Monthly meeting.
- M 2. Minutes of Burlington Quarterly meeting.
- N 2. List of Chesterfield Preparative meeting.
- O 2. Records of Chesterfield Monthly meeting.
- P 2. Do. do.
- Q 2. Do. do.
- R 2. Minutes relative to the establishment of the Yearly meeting of
Pennsylvania, New Jersey, &c.
- S 2. Discipline of 1797.

2. *On the part of the Defendants.*

- No. 1. Subscription to school fund.
 2 and 3. Bond and mortgage.
 4. Barclay's Catechism and Confession of Faith.
 5. Do. Apology.
 6. Evans' Exposition.
 7. Barclay's Anarchy of the Ranters.
 8. Green street Address.
 9. Second do.
 10. Third do.
 11. Minute of London Yearly meeting.
 12. Extracts (called the *creed*.)
 13. Discipline of Philadelphia Yearly meeting
 14. Proud's History of Pennsylvania.
 15. Letter from Elias Hicks to Phebe Willis.
 16. Second do.
 17. Letter from Elias Hicks to Thomas Willis.
 18. Testimony concerning Elias Hicks deceased.
 19. Celestial Magnet.
 20 and 21. Fox's Journal, 2 vols.
 22. Essay of Thomas Willis and others.
 23. Sermons of Edward and Elias Hicks, 1825.
 24. Hicks' Sermons, 1 vol.
 25. The Quaker, vol. 1.
 26. Do. vol. 2.
 27. Do. vol. 3.
 28. Do. vol. 4.
 29 and 30. Fox's Journal (twice marked.)
 31. Testimony of disownment of Elias Hicks.
 32. Records of Burlington Quarterly meeting.
 33. Do. do.
 34. Sewell's History, vol. 1.
 35. Do. vol. 2.
 36. Testimony of Society of Friends.
 37. Copy of a letter of Elias Hicks to Dr. N. Shoemaker.
 38. Chesterfield Monthly meeting records.
 39. Records of Burlington Quarterly meeting, vol. 1.
 40. Letter from H. Jackson to a Friend in Ohio.
 41. Statement submitted to counsellor Binney.
 42. Epistle of Philadelphia Meeting for Sufferings.
 43. Declaration of the Yearly Meeting, &c.
 44. Testimony and epistle of advice.
 44. Epistle and testimony from Yearly meeting of New York, 1828.
 44½. Remonstrance of Thomas Hauxhurst and others.
 45. Discipline of New York Yearly meeting.
 46. Copy of minute of the Meeting for Sufferings.
 47. Report of committee.
 48. Minute appointing a committee in the meeting of ministers and elders.
 49, 50, 51, 52. Records of Chesterfield Monthly meeting prior to 1797.
 53. Account book of Chesterfield school fund.

54. Minute of Meeting for Sufferings.
55. Letter of elders to Elias Hicks.
56. Second do.
57. Minute of Preparative meeting.
58. Report of committee.
59. Minutes of Quarterly meeting.
60. Leonard Snowdon's appeal.
61. Minutes of the Quarterly meeting.
62. Minute of the Yearly meeting.
63. Report of committee.
64. Remonstrance of M. Taylor and Ann Scattergood.
65. Notice of intention to appeal.
66. Address to the Quarterly meeting.
67. Minute of appointment of a committee.
68. Report of the committee.
- 69 and 70. Minutes of Bucks and Abington Quarterly meetings.
71. Minute of Philadelphia Quarterly Meeting.
72. Minute of Green street Monthly meeting.
73. Request of certain members to Philadelphia Quarterly meeting.
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75. Minute laying down Green street Monthly meeting.
76. Minute appointing a committee.
77. Report of the committee.
78. Report of committee to obtain the books and papers, &c.
- 79, 80, 81, 82. Correspondence between the elders of Philadelphia and Elias Hicks.
83. Minutes of western Quarterly meeting.
84. Statement by Thomas Evans, of the relative numbers within the limits of Philadelphia Yearly meeting.

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ERRATA

- VOL. I.**—Page 166, line 28, for *best*, read *sent*.
Page 283, line 20, for *texts*, read *text*.
Page 283, line 21, strike out quotation marks in last part of the question.
Page 387, line 13 from bottom, for *d clare*, read *declared*.
Page 257, line 5 from bottom, place the semicolon after believe.

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ERRATA.

VOL. II.—Page 175, line 14, for *close*, read *rest*.

Page 180, line 14, after *examiner*, insert a comma; strike out the comma after *counsel*, and for *directs*, read *direct*.



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